

Insular Societies in Their Economic Setting:
A Study of the Western and Northern Islands of Scotland
in the Seventeenth Century

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Preface

This work is the outcome of my deep affection for the islands of Scotland, and preoccupation with the structure of communities and the functions of the various social groups within them. The seventeenth century was chosen because it is the earliest period for which sufficient historical records survive to make a comparative study of the economy and society of Scottish island groups possible, yet it is also a period which has received sparse coverage from historians concerned with island life. My aim has been to outline major aspects of the economy and social structure of Scottish islands and island groups, and to make comparisons between them. But the detailed development of these themes for particular localities is beyond the scope of this thesis. I hope, however, that it may encourage others to attempt this task.

Where possible I have spelled place-names as they appear in the current edition of the one-inch Ordnance Survey maps; but where a place-name does not appear on these maps I have used the form generally adopted by local historians, or, failing this, the most common spelling found in the sources. Personal names have been modernised where it is quite clear what the modern form should be, but where there is any doubt the original form has been retained.

I am glad to have this opportunity to acknowledge the advice and help which I have received from a number of people. My particular thanks go to the staff of Register House where I was a regular reader for more than two years, for their friendly and efficient service at all times. The staff of the National Library of Scotland were also always most courteous and helpful. Mr Donald Withrington of Aberdeen University,

Dr Barbara Crawford of St. Andrews University, and Dr Isabel Henderson of the National Library of Scotland advised me how to find information on udal law as it operated in Orkney and Shetland. Mr Eric Cregeen of the School of Scottish Studies, Mrs Rosalind Mitchison of the Economic History Department at Edinburgh University, Dr Isobel F. Grant and Dr Hance D. Smith gave me the benefit of discussion and criticism of the general themes of my thesis. I should also like to record my gratitude to Mrs Joan Wolrige-Gordon for permission to use the MacLeod papers, Sir Basil Neven-Spence for access to the Neven of Windhouse Papers, Mrs M. Cameron and Mr John Scott for access to the Gardie Papers, and Mr Jonathan Wills for the use of his index to and microfilm of some of the Gardie Papers. Finally, I would like to thank my two supervisors, Professor Gordon Donaldson and Dr John Bannerman, for making themselves available to deal with my queries and problems whenever I needed them.

I declare that the work of this thesis is my own, and that it has been composed by myself.

Frances J. Burton

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SUMMARY

The aim of this thesis is to examine some of the central features of the economy and social structure of islands off the north and west coasts of Scotland in the seventeenth century, to assess developments in the course of the century, and to show how far similarities and differences found in the economies of the various islands and island groups were related to similarities and differences in their historical background, and how far they were attributable to physical factors such as the terrain of the islands, and their degree of remoteness from other land and from the centre of government in Edinburgh.

The islands chosen as the subject of this study are the Hebrides (defined as those islands north of the Mull of Kintyre and west of the mainland of Scotland), the Orkneys and the Shetland islands. The aspects of their economy and social structure which are here considered are as follows: the structure of land ownership and of land tenure; the pattern of agriculture and the nature and extent of other work done by members of the community; the distribution of the produce of the islands, imports and exports; and the main social groups which made up the island communities, their relative wealth and status. Finally, some general statements are made about the nature of society in the different island groups.

The source materials used for this study are of many different kinds. The seventeenth century sasines and testaments extant for the above island areas have been examined in great detail. Contemporary topographical descriptions have also been extensively used, as have private estate records of a wide variety among which rentals, tacks, contracts,

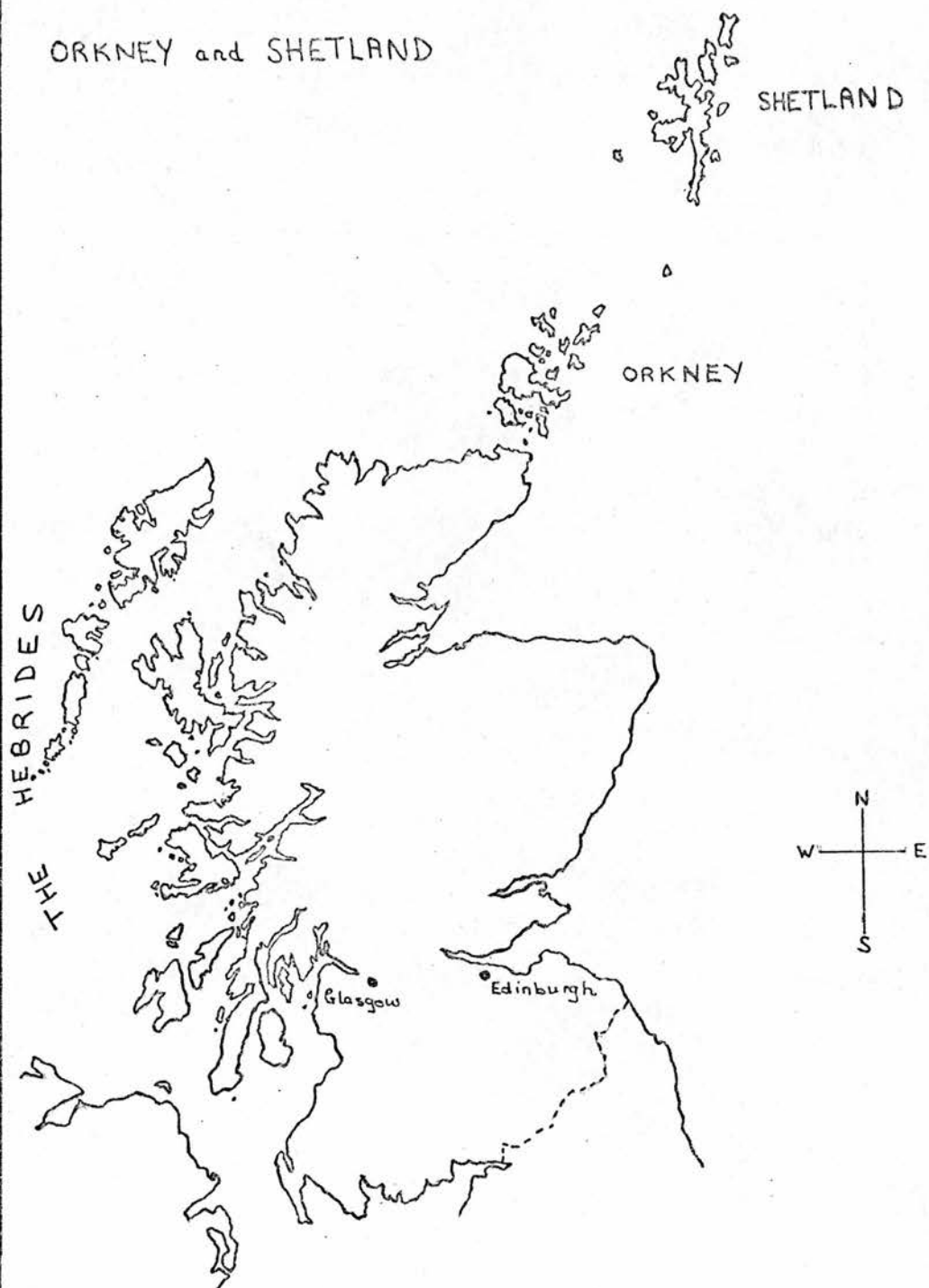
and estate and personal accounts are of particular value. These sources have been supplemented by a number of others, notably by public records such as the Registers of the Great Seal and of the Privy Council, and by miscellaneous surviving court records.

Map of SCOTLAND

showing
the position of

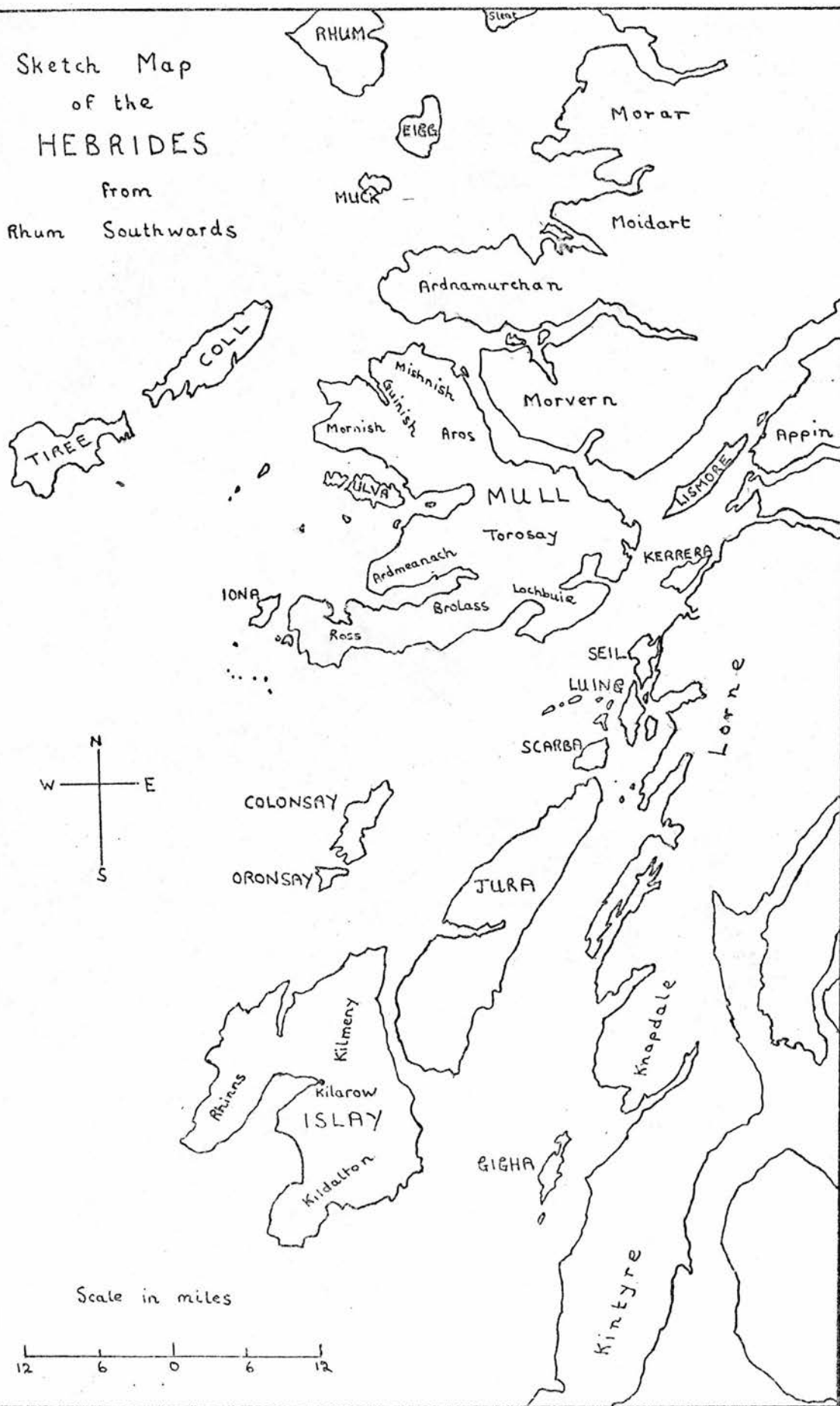
THE HEBRIDES

ORKNEY and SHETLAND



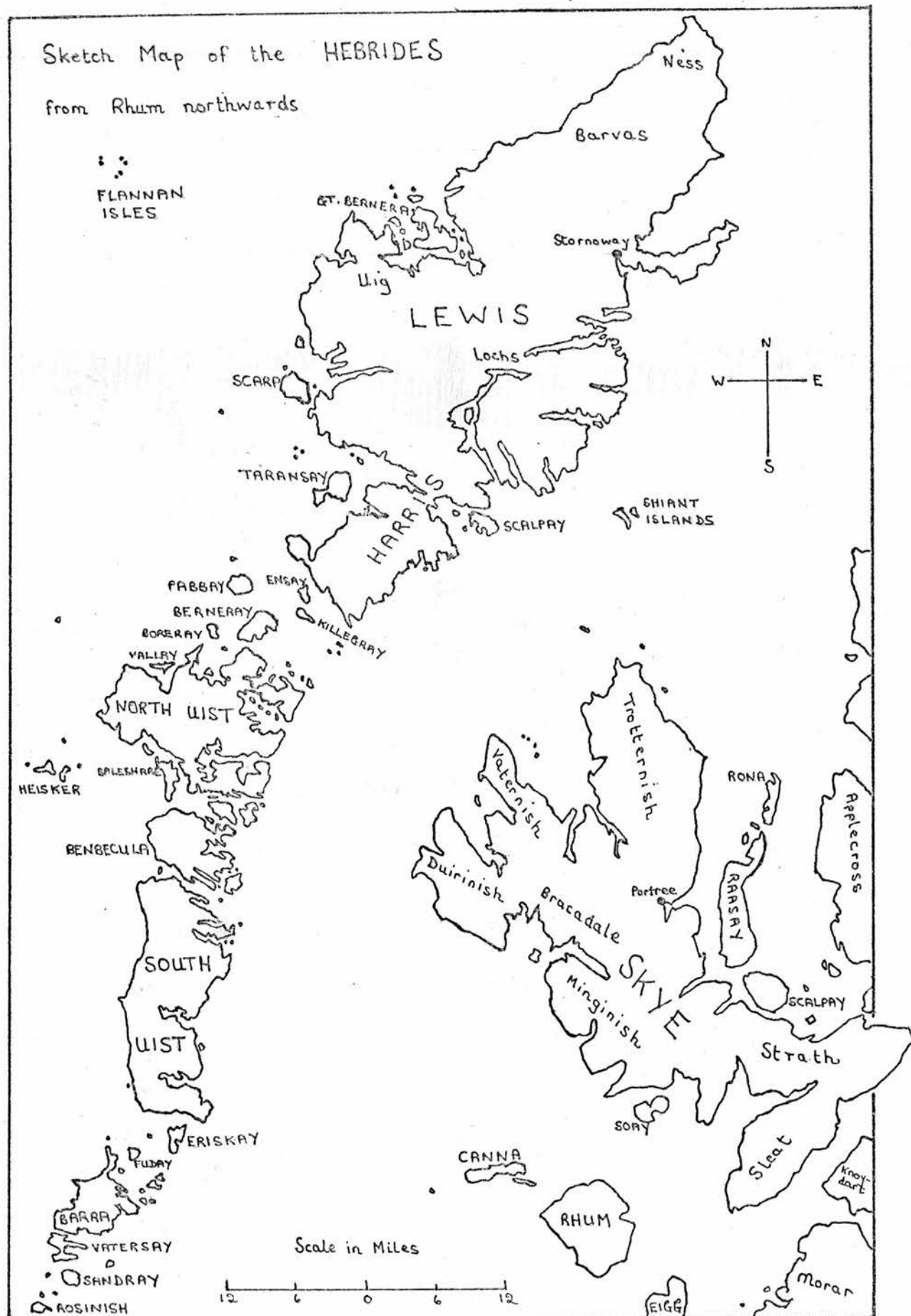
Sketch Map of the HEBRIDES

From
Rhum Southwards



Sketch Map of the HEBRIDES

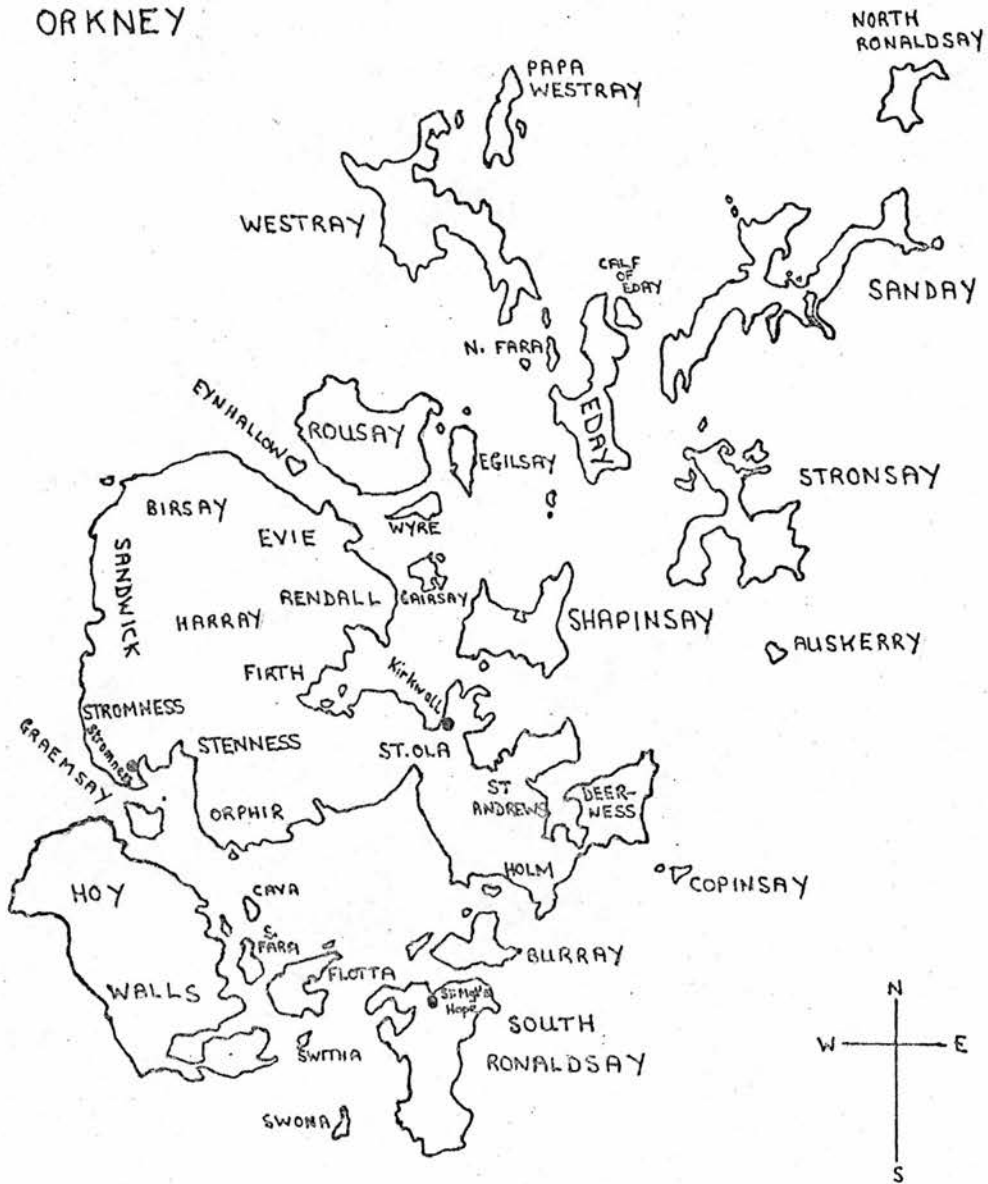
from Rhum northwards



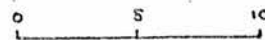
Sketch Map

of

ORKNEY



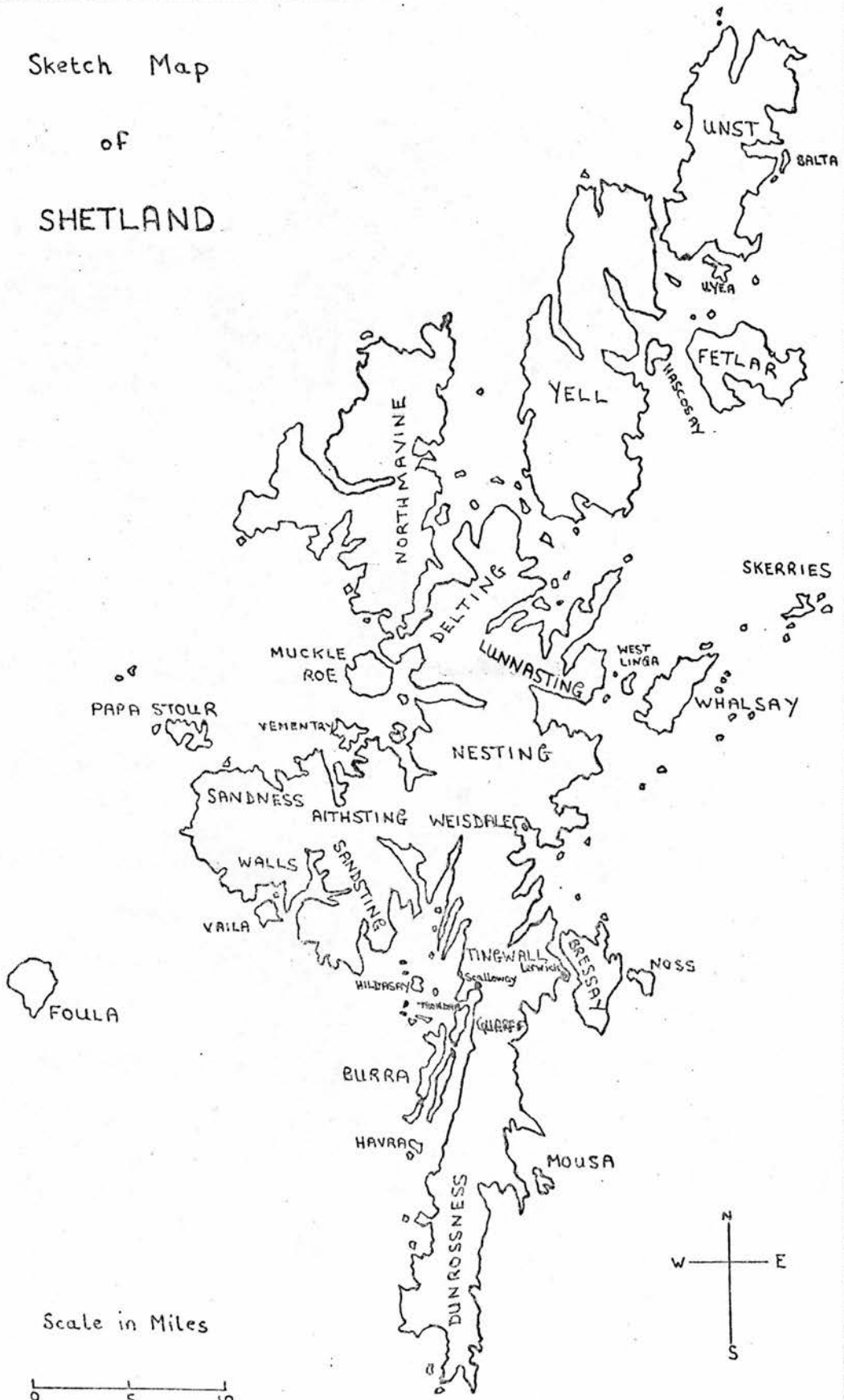
Scale in Miles



Sketch Map

of

SHETLAND



Chapter I

INTRODUCTION

The present work has two main aims: firstly, to examine in detail important aspects of the economy and social structure of Northern and Western Islands of Scotland in the seventeenth century; secondly, to compare the economic and social patterns in various areas and attempt to attribute reasons for similarities and differences found. Off the west coast, the study covers islands from Islay northwards, and, off the north coast, the Orkneys and Shetland.

The aims of this study necessitate a different approach from those which have previously been made to the history of these areas. This is an economic and social study in which islands are chosen for their common characteristic of being islands. In these respects it differs from most historical works involving the Western Isles. In general works the tendency has been to treat them in conjunction with the mainland Highland area and to use a basically political approach as, for example, in Donald Gregory's excellent History of the Western Highlands and Isles of Scotland, 1493-1625 and in W.C. MacKenzie's The Highlands and Isles of Scotland: an Historical Survey.

Another common approach has been to outline the history of a single important family and the lands which that family owned. This tends to emphasise the links between island and mainland areas

rather than the links between one island and another, or even between different parts of the same island. Many of the important land-owning families held mainland as well as island properties. In the seventeenth century the MacKenzies of Kintail (later of Seaforth) owned not only Lewis but extensive mainland areas in present-day Ross and Cromarty. Harris, which adjoins Lewis to the south, was owned by the MacLeods of Dunvegan, who also owned part of Skye as well as Glenelg. Parts of Skye were owned by three different families: the MacLeods of Dunvegan, the MacDonalds of Sleat and the MacKinnons of Strathardle. In her book The MacLeods: the History of a Clan, 1200-1956, I.F. Grant has put the affairs of the MacLeod family into the wider context of island, Highland and national history, and dealt at length with the social and economic setting, but many other authors have produced narrowly based accounts which often rely heavily on genealogy and almost totally ignore economic matters.

Yet another favoured approach has been to concentrate on the story of one particular island. Almost all the larger islands off Scotland's west coast have been described in this way, and in most cases the authors have felt it incumbent upon them to say something of economic and social circumstances. The starting point, however, for detailed economic discussion has usually been The Statistical Account of Scotland of the late eighteenth century, while the seventeenth century, for which no such general, detailed and easily accessible source exists, has received much less attention. Moreover, in this type of work there has been very little attempt to compare the economy of the chosen island with any other.

Historians of Orkney have displayed much less preoccupation with family history than historians of the Western Isles. But they

have shared their interest in the individual island, and in Orkney this approach extends to the separate investigation of the different parishes of the main island. A large number of articles have also been written about very specialised aspects of the economy and society of Orkney from the Norse period onwards, and the main strands were brought together by J. Storer Clouston in A History of Orkney. Apart, however, from comparisons made with the administrative system operating in Shetland before the Norse laws were abolished in 1611, there has been little attempt to relate Orcadian life to life in other Scottish island groups.

In contrast with both Orkney and the Western Isles, little historical research has been done on Shetland apart from the publication of source material. Most of what has been written concerns Shetland under the Norse laws and administrative machinery before 1611. Gordon Donaldson's Shetland Life under Earl Patrick has provided a detailed account of the economy and society of these islands in the very early seventeenth century; but little work has been done on the later years of the century, far less have comparisons been drawn with other islands.

We see, then, that the extent of investigation into Scottish island economies in the seventeenth century has been very patchy, while comparisons of one island or island group with others has seldom been attempted in any detail. Yet there are substantial reasons for doing so. As Islands they have in common physical separation from the mainland of Scotland. They all lie remote from the centre of government at Edinburgh. Orkney, however, lying on a direct sea route from Leith and considerably further south than Shetland, was significantly more accessible to Edinburgh and the many little

trading towns of the east coast of Scotland than were any of the others, and it is important to see how far this modified her economy.

The internal geography of the various islands would also make a comparison illuminating. The two groups of northern isles differ strikingly. The interior of Shetland is in general extremely hilly, boggy and barren, the only extensive areas of arable land being the Tingwall valley in the central mainland and in the southernmost parish of Dunrossness. Orkney, in contrast, apart from the island of Hoy, is mainly fairly low-lying with large areas suitable for cultivation. The Western Isles are not homogeneous in terrain. A few, such as Lismore and Tiree, are low and fertile, while the large islands all have considerable hilly or even mountainous areas, and have some exceptionally barren districts, such as the east coast of Harris. Even these, however, have more potential arable land than Shetland, notably in the fertile machair lands which are a feature of the west coast of the Outer Hebrides, and particularly of North Uist. One of the aims of this study will be to show how far similarities and differences in terrain are reflected in the produce of the land.

Historically, too, the Northern and Western Isles have a factor in common, namely the Norsemen, who had been present in both areas since at least the late eighth century, and after a time had established their rule there. In the Western Isles the Norse sway came to an end in 1266 when they were ceded to Scotland by the Treaty of Perth following the defeat of the Norwegian king, Haakon IV, at the hands of Alexander III of Scotland in 1263. In Orkney and Shetland Norse rule lasted a further two centuries, until the royal lands and rights in these islands were pledged to the Scots king James III, in 1468 and 1469 respectively, in payment of the dowry

of Margaret, daughter of Christian IV of Denmark. But the Norse laws by which the Northern Isles had been governed continued in force until 1611 when they were abrogated after the imprisonment and first trial of Patrick Stewart, Earl of Orkney. In practical terms the connection of Shetland, at least, with the Norse legal system can be demonstrated to have remained very strong between 1469 and the abrogation. A legal case was referred for confirmation to the judiciary in Bergen in 1538¹, while The Court Book of Shetland, 1602-1604, edited by Gordon Donaldson, shows the Norse legal administration still in operation under the Scottish earl, Patrick Stewart, and gives evidence of the existence and use of a Shetland lawbook, or codification of the laws,² such as existed also in Norway, Iceland and the Faroes. We may expect, then, a much greater Norse influence on the economy and society of Orkney and Shetland than in the Western Isles. But it is important to consider whether Norse influence was stronger in Shetland, which is much nearer to Norway, than in Orkney; and whether, after more than three centuries, any significant traces of Norse influence remained in the economy of the Western Isles.

The period of this study - the seventeenth century - was chosen for two main reasons. One is the availability of records, which will be discussed later in this introduction. The other is that politically and economically the seventeenth century constitutes a convenient unit for the study of our chosen areas.

1. Orkney and Shetland Records, ed. A.W. and A. Johnston (London, 1907-13) i, 70 - no. 41.
2. Court Book of Shetland 1602-4, ed. G. Donaldson (Scottish Record Society, [SRS] 1954), 43.

The beginning of the century marked a significant extension of the Scottish crown's authority in both the Western and the Northern Isles. In the Western Isles the sixteenth century had been a time of great turbulence. A power vacuum had developed after the forfeiture of the Lordship of the Isles in 1493. This lordship had exercised an authority over the various clans of the Western Isles which the monarchy, weakened by long minorities and handicapped by the distance of the islands from the political centre of the kingdom and its own slender resources, was unable to replace. Attempts to resurrect the lordship took up the attention of the clans until 1545. But after the final failure of this their full attention was directed at each other. In this situation disputes between clans all too easily led to protracted, bitter and bloody feuds. In the late sixteenth century there was, for instance, a very bitter feud between the MacDonalds of Dunivaig and the MacLeans of Duart over the Rhinns of Islay, the fertile western peninsula of that island. In Skye the MacLeods of Dunvegan and the MacDonalds of Sleat were engaged in a long-standing quarrel over the possession of the district of Trotternish; and in Lewis the branch of the MacLeod family who were the owners were deeply divided among themselves.

This confused situation was radically altered during the reign of King James VI. Motivated partly by exaggerated notions of the wealth of the Western Isles and partly by a desire to bring them effectively under the power of the crown, he attacked the problem from several angles. By a policy of colonising Ulster with Lowland Protestant Scots he succeeded in reducing substantially the contacts between the Western Islesmen and related northern Irish families by which they had previously aided each other at the expense of both the

Scottish and English governments. A similar project, however, for colonising Lewis with settlers from Fife proved a complete failure through the open resistance of the inhabitants and the covert hostility of Kenneth MacKenzie of Kintail, who had designs on the island for himself.

To exert greater control over the Isles James VI advanced the interests of various branches of the Campbell family in the south and the MacKenzies of Kintail in the north, men whose chief properties were on the mainland, at the expense of predominantly island families. Both the Earl of Argyll and MacKenzie of Kintail were given various commissions of lieutenancy in the islands. After James's abortive efforts to settle the Fife Adventurers in Lewis, a crown charter of the island was given in 1610 to Kintail; and in 1614, after open rebellion by the hard pressed MacDonalds of Dunivaig, Islay was awarded to Sir John Campbell of Calder, whose family was a cadet branch of the Campbells of Argyll, and whose main properties lay in the north east of Scotland. The king's policy had the additional advantage of enabling him to define clearly the ownership of certain lands which had previously been hotly disputed, an aim which he had been pursuing since the act of 1597 requiring landowners in the Highlands and Islands to produce valid title deeds or lay themselves open to forfeiture.

At the same time the island chiefs were brought into a much closer relationship with the crown. After almost all the more important of them were enticed into captivity by Lord Ochiltree acting for the government, a formidable group of them met Andrew Knox, Bishop of the Isles at Iona in 1609 and agreed to a series of major enactments subsequently known as the Statutes of Iona, which were designed to increase the power of the king over the chiefs and lay the foundations for a more orderly and peaceful society in the Isles. Chiefs were

made responsible for the actions of their followers and were to support the ministers of the Reformed Kirk; the carrying of firearms and the import of wine were forbidden to the islanders as was the practice of sorning (the forcible exaction of hospitality); persons with no visible means of support were to be denied residence there, while chiefs and substantial gentlemen were to send their eldest sons to school in the Lowlands to learn the use of the English tongue (Gaelic being the despised language of the Isles).¹ Later the chiefs were put under heavy caution to compare before the Privy Council annually to account for their conduct and the payment of their obligations. These measures were reinforced and extended in 1616 by a second important series of enactments. This time the chiefs had to agree to drive idle men from their lands, to limit the numbers of their own personal attendants, their consumption of wine and bearing of firearms; their residences were to be fixed and well maintained, and their lands set at clearly defined rents; all their children were now to be educated in the Lowlands, and if they did not master the English language, they were not to be served heirs to their fathers.²

Not all these measures were strictly adhered to. It is well known, for instance, that the chiefs of Clanranald, who owned South Uist, remained Roman Catholics and supported that faith throughout their lands; while the carrying of firearms remained common on the Isles throughout the seventeenth century. Nevertheless, despite some lingering trouble from the remnants of the MacLeod of Lewis family and the Islay rebels, sporadic raids and acts of spoliation, and a

1. Register of the Privy Council [RPC], 1st series, ix, 26-30.

2. RPC, 1st series, x, 773-6.

tendency to resort to arms at times of political crisis, the Western Isles were incomparably more peaceful, orderly, and more truly subject to the government of Scotland than they had been in the sixteenth century.

In Orkney and Shetland the trouble was not continued violence but another consequence of crown neglect; the misrule of Lord Robert Stewart and of his son, Earl Patrick. In 1564 Robert Stewart, the illegitimate half-brother of Mary, Queen of Scots, was granted a feu charter of the crown estates in Orkney and Shetland together with the office of sheriff. This astute man managed to arrange an exchange of the lands of the bishopric of Orkney, (a regality), for the abbacy of Holyrood which Robert had held. To add to his prestige, and at least nominally to his extensive powers, he was in 1581 created Earl of Orkney and justiciar of Orkney and Shetland. He thus obtained for himself the crown, earldom and bishopric lands and rights in the islands, and with them power unprecedented for one man in that area. He and his son, Earl Patrick, used their power to the full at the expense of the unfortunate inhabitants.

A complaint was made in 1575 by the inhabitants of Orkney and Shetland against Lord Robert, and a similar one came the following year from Shetland, directed against his half-brother, Laurence Bruce of Cultmalindie, whom he had appointed foud (chief magistrate), of those islands. The latter complaint was accompanied by a considerable body of evidence. They listed many grievances such as the raising of rents and increase of the weights and measures by which the rents were judged; the alteration of old laws and making of new ones including a law to prevent people from leaving the islands to make complaints about Lord Robert; the stopping of the ferries for the same reason;

the charging of men with old crimes as a means to confiscate their goods; and the prevention of the burgesses of the royal burgh of Kirkwall in Orkney from trading without a licence from Lord Robert.¹ Formal charges made against Earl Patrick Stewart at his first trial in 1610 as well as complaints received by the Privy Council against him, none of which he denied, show that he had been following many of his father's practices very closely in, for example, pronouncing sentences against people according to laws treasonably made by himself, banishing them and confiscating their property; stopping the ferries; imposing a ban on trade without his licence; and forbidding people to plead before any judge outside the islands. In addition he was accused of exacting taxation with which the land was not rightfully burdened.²

But as in the case of the Western Isles King James VI took action. James Law, who had on the restoration of episcopacy been appointed bishop of Orkney, wrote in 1608 a powerful letter to the king on behalf of the oppressed peoples of Orkney and Shetland. As a result of this and the many complaints which had somehow filtered through to the government despite the earl's precautions, the king decided to act. As ^{his chief agent he used} the bishop, who was, no doubt, not without self-interest, but at least could not found a dynasty.

In 1609 Earl Patrick was imprisoned and subsequently tried. In 1611 an act of the Privy Council abrogated the Norse laws in Orkney and Shetland and brought the islands for the first time fully under the

1. Oppressions of the Sixteenth Century in the Islands of Orkney and Shetland, ed. D. Balfour (Maitland Club, 1859).
2. Criminal Trials in Scotland, ed. R. Pitcairn (Bannatyne Club, 1833), iii, 81-87; also, RPC, 1st series, ix, 297.

laws of Scotland. In 1612 the earldom was once more annexed to the crown and the series of changes was rounded off by the execution of both Earl Patrick and his bastard son, Robert, after the latter had led a rebellion in Orkney in his father's favour in 1614. Orkney and Shetland were now fully part of the kingdom of Scotland and the crown was to experience no further serious trouble from them.

If the early seventeenth century is a suitable time to open our enquiry, the end of the century is a good time to close it. The eighteenth century brought fundamental changes to the pattern of the economy of our areas. The effects of full political and economic union with England, like the greater demand for wool, and developments such as the introduction of the potato and of kelp manufacture in the Highlands greatly modified the shape of the economy, as did specific pieces of legislation. In 1712 a high duty was imposed on the import of foreign salt and bounty given on fish cured by British merchants using British salt. This forced the foreign merchants who had been operating in Shetland to withdraw, and put the inhabitants further into the power of the local lairds who took over the main trading functions of these merchants. After the 1745 Jacobite rebellion, the Disarming Act hastened the end of the old clan system, while the estates forfeited by the rebels were managed by government appointed factors who attempted to introduce many new ideas in their running. All these new influences mean that the eighteenth century needs separate treatment from the preceding era.

The second main reason for the choice of the seventeenth century for this study is the availability of records. It is the earliest period for which evidence is extant in sufficient quantity,

variety and geographical distribution to render the aims of this work attainable. Before this time the source material for a systematic study of the economy and society of most of our chosen areas simply does not exist. Although a large number of documents relating to the sixteenth century economy of Orkney have been preserved and most of them collected in the Records of the Earldom of Orkney, edited for the Scottish History Society by J. Storer Clouston, only a handful of historical documents have survived for Shetland before 1600. Records for the Western Isles, apart from family histories and other related genealogical material, are almost totally confined to land writs and there are relatively few even of these.

In the seventeenth century the picture is very different. The Register of Sasines, in which every transfer of landed property was to be recorded, commenced in 1617. There are some gaps in the extant registers; there is none for Shetland before 1623; the Orkney sequence is broken between July, 1626 and May, 1630; and there are much more important gaps in the registers for Argyll which affect the south western isles in our study between 1622 and 1643, 1652 and 1658, and 1660 and 1673. The lacuna in the Orkney records is, however, partially filled in by the Protocol Book of a local notary public, David Heart, which is preserved in the Scottish Record Office. The deficiency in the Argyll records can be partially made up from private land records, and in any case, wherever the Particular Register for Argyll exists concurrently with the General Register it emerges that most of the larger transactions and many of the smaller ones are recorded in the latter, which is complete. Thus, despite some gaps in the registers, a fairly complete picture of seventeenth century landownership in the islands can be built up.

The seventeenth century is also the earliest period for which another series of public records survive for our areas. These are the Records of Testaments. The testament is a document which recorded, usually in detail, the possessions of a deceased person and his household at the time of his death, the debts which others owed to him and the debts which he owed to others. From this information a net value for the estate was derived and a duty of approximately five per cent levied on the portion of it legally deemed to have belonged to the dead person (the surviving spouse and the children were allowed a third share each.).¹ There was not necessarily a will, but if one was included the document was called a testament testamentar; where, as in the vast majority of cases, there was no will, the document was known as a testament dative. Because of the detail in which a person's moveable assets and liabilities were recorded, testaments, if available in sufficient numbers and over a fairly wide cross-section of the population, yield a wealth of information which can be used to throw light on the pattern of agriculture and trade, material standards of living, and the differing status in the community of various categories of people. There are extant Records of Testaments and related papers for Orkney through the whole of the seventeenth century except the last decade, for Shetland in the first fifty years, and for various of the Western Isles from about 1670 onwards.

Another fruitful source of information is the private collection. Family papers contain a wide variety of documents relevant to the study of the economy, among which documents concerning land-ownership, tacks,

1. Hope's Major Practicks 1608-1633, ed. J. Avon Clyde, (Stair Society, 1937-8), 1, 285.

rentals and accounts of all kinds are particularly useful, and become plentiful only during and after the seventeenth century. Family collections survive for many of our islands and island groups. For the south western isles in general the papers of the various families of Campbells are wide-ranging,¹ and the Breadalbane collection is of outstanding value for the island of Lismore. Further north the papers of the MacLeods of MacLeod must be mentioned for the information which they yield on Skye and Harris. For Orkney and Shetland the Morton Papers are a very important source, while for Orkney alone the Scarth of Breckness collection, and for Shetland the Gardie House Papers and the papers of the Bruces of Symbister, are valuable. These, however, are only a few of the many collections from which data have been obtained for this study.

Topographical descriptions are yet another source of evidence scarce before the seventeenth century. Dean Donald Monro's Western Isles of Scotland and Genealogies of the Clans 1549 is the first extant detailed description of that area, and there is another description of the Western Isles, this time anonymous, ascribed to the period 1577-1595.² But after 1600 geographical accounts are available for all our various areas. Many of the shorter ones were gathered together by W. MacFarlane in his Geographical Collections. Besides these, there is the very detailed Description of the Western Islands of Scotland c. 1695 by Martin Martin; the Description of the Isles of

1. The historical papers of the Duke of Argyll were, at the time of writing, closed to the public. The author was, therefore, unable to use them.
2. W.F. Skene, Celtic Scotland, (2nd edn., Edinburgh, 1886), iii, appx. III, 428-440.

Orkney by the Rev. James Wallace, a minister there from at least 1659 to his death in 1688; A Brief Description of Orkney, Zetland, Pightland Firth and Caithness 1700 by the Rev. James Brand, who visited the islands as a member of an ecclesiastical commission of enquiry, and The Description of the Isles of Orkney and Zetland of 1711, compiled by Sir Robert Sibbald from various sources, some of them of much earlier date.

The above have been the main sources used for this study, but they have been supplemented from various other public records, notably the Register of the Great Seal and the Register of the Privy Council, the records of the Exchequer - especially for the rentals which they contain of estates forfeited after the 1715 rebellion - and various surviving court records. The aim throughout has been to achieve clarity and precision, if necessary by restricting the field of enquiry. It is for this reason that sources such as folk stories have been avoided. The use of evidence of a later date than 1700 has been severely restricted, partly because there is a large body of material from within the seventeenth century, and partly because of the dangers involved in inferring earlier practices from later evidence. Exceptions have been made in the use, mentioned above, of exchequer rentals of c. 1718 where earlier ones are lacking or inadequate as is the case, for example, with the island of Lewis; a similar exception is the use of early eighteenth century testaments for the Western Isles to supplement the fairly small number extant for the seventeenth century. In both instances it was felt that the influences for change which began to operate after 1700 would not have greatly altered the character of these documents by this time.

The source materials for this study present important problems. There are two main causes of difficulty. Firstly, the imbalance in the quantities of particular categories of document for different geographical areas. Testamentary evidence is most affected. While there are more than 2,000 extant testaments for Orkney and over 750 for Shetland, for the Western Isles there are only about eighty before 1700 with a further sixty in the first quarter of the eighteenth century. Few even of these testaments come from the Outer Hebrides, and of those which do, most are not very informative, specifying only certain large debts owed to or by the deceased person. Alternative sources can be found, such as rentals and topographical descriptions for agricultural information, and merchants' accounts for trade and a guide to the style of living of their customers; but it is impossible to find out so much detail about such a wide cross-section of the community as a good coverage of testaments will yield.

The second considerable cause of difficulty lies in deciding how far our sources are to be relied upon. The accuracy of the Register of Sasines and of most private papers, especially those in which more than one party had an interest, e.g. accounts, contracts and rentals, is not in doubt. Topographical descriptions, however, being more subjective, are also more open to question. In this study they have been used extensively only where the author was a contemporary, or very near contemporary, of the seventeenth century, and where there is reason to believe that he would be a reliable reporter: a local minister, like the Rev. James Wallace in Orkney; an educated gentleman, like Martin Martin, who was a native of Skye and had been governor to Donald MacDonald, younger of Sleat; or the Rev. James Brand, who on his visit to Orkney and Shetland in 1700

witnessed almost all that he described.

Testamentary evidence has hitherto been little used by historians of Scotland with the exception of Gordon Donaldson who first drew on them as a major source of evidence for economic and social conditions in early seventeenth century Shetland in his Shetland Life under Earl Patrick (Edinburgh, 1958). The present study makes use of testamentary evidence over a greater period of time and a wider geographical area. The reliability of the testament as a piece of historical evidence, ought therefore, to be discussed. As an example there follows a typical seventeenth century testament from Shetland:

The testament dative and inventar of the guidis, geir, soumes of money and debtis quhilkis pertinit to umquhill Ola Jonsone in Gairdie benorth within the ile of Unst and Lordship of Zetland, quha deceist upoun the --- day of Marche last bypast faythfulliemaide and given up be Cristiane Mowat, his relict, in name of Katherine and Brita Olaisdochteres, thair lawfull bairnes and executoris datives decernit to him be decreit of the commissar of Orkney and Zetland, as the samen of the dait the thrid day of September instant beiris.

In the first the said umquhill Ola haid the guidis, geir, soumes of money and debtis of the avallis, quantities and pryces respectivelie following pertaining to him the tyme of his deceis foirsaid, viz. ane ox, pryce x lib.; item five kyne, pryce of the peice vii lib. iiis. summa xxxvii lib. xvis [sic]; item 1 quyak, pryce iii lib.; item half a stirk, pryce xxxs; item sex sheip, pryce xxs.; summa vi lib.; item twa swyne, pryce xls.; item four beir and aittis,

pryce of the thrave overheid xciiis., summa iiii lib.
xvis.; item the half of ane ald boit, pryce iii lib.;
item in utencells iii lib.

Summa of the inventar lxxi lib. iis.

Na debtis awand to the deid.

Followes the debtis awand be the deid.

Item, the said unquhill Ola wes awand the tyme of his
deceis foirsaid to the king in landmealles 1 lispund viii merk
butter, pryce liiis iiiid.; item 1 schilling ii cuttell wedmell,
pryce xxxiis.; item in wattle iiiis.; item bestowit on his
buriall xls.

Summa of the debtis awand be the deid vi lib.

ixs. iiiid.

Restis of frie geir the debtis deduceit lxiiii lib.

xiiis.

To be devyd in thrie pairtis, deidis pairt is

xxi lib. vis. viiiid.

Quhairof the quot is componit for xxs.

There follows a paragraph confirming the testament and appointing
a cautioner, William Sinclair in Ungersta, that the goods and gear
would be forthcoming to all those with a legal interest.¹

At first sight this testament appears to be a document of

1. Scottish Record Office [SRO], Commissariat Records of Orkney and
Shetland, Record of Testaments [O. & S. Tests.] i, fo. 68,
confirmation date [conf.] 3 Sept. 1621.
N.B. The values expressed in this testament are in Scots money
whose value at this time was one twelfth of the equivalent sterling
sum. Throughout this work values are given in Scots money unless
it is otherwise stated.

considerable value for economic and social research, listing the precise resources and liabilities of a minor tenant, Ola Johnson. But is the list reliable? The inventory of goods and debts was almost always made by someone closely connected with the deceased person, in this case, as often, the surviving spouse, who would have an obvious interest in keeping the quot, or duty payable, to a minimum. The commissary, the head of the ecclesiastical court which was responsible for the confirmation of testaments, might confirm several testaments in one day at one place, then move away. Around the time of the confirmation of our sample testament, the movements of the commissary of Orkney and Shetland were as follows: he arrived in Shetland from Orkney and confirmed one testament at Sumburgh in the extreme south mainland on 23 August 1621; he next confirmed three testaments on 3 September at Uyeasound in the most northerly island of Unst; on 7 September he confirmed two testaments at Aith in Fetlar, the island immediately to the south, and the following day confirmed three at Reafirth in Yell, the island to the west of Fetlar.¹ Travelling from place to place in this way, the commissary and his officials could not have checked personally all the information which was presented to them, and may well have thought it not worth while to take action if he suspected that the inventory was inaccurate, especially if the deceased was a poor man, the duty on whose testament would not amount to much. There is then, the possibility that a testament may omit or undervalue assets and overstate liabilities.

On the other hand, the testament was a legal document. If the executor, or the person who made up the inventory on his behalf,

1. SRO, O & S Tests, i, fos. 67-70.

omitted or undervalued any item, he could not take action at law to pursue it, and unless he could plead with good cause that he did not know about it at the time when the inventory was made, another person would be preferred as executor to that item.¹ Several examples of this occur in the seventeenth century testaments for Orkney, and by no means all concern people who were particularly well-to-do. When Margaret Mainland alias Brek died in 1613, her husband, George Smith in Linklater, South Ronaldsay, gave up a testament in which the value of their goods and gear was said to be £16 and the net value of their estate with debts taken into account £21-10/-. Shortly afterwards, however, a testament dative ad omnia or additional testament was submitted by a merchant in Kirkwall, who was confirmed as executor to £58-10/- worth of goods previously omitted or undervalued.²

The debts listed in a testament are likely to be accurate in most cases. Debts owing to the deceased could not be pursued at law for an amount greater than appeared in the confirmed testament,³ while debts owed by the deceased reduced the value of the estate and, therefore, the duty payable on it. In addition, the major debts contained in most testaments viz. landmails and other land duties, like the wattle in our sample testament (a duty peculiar to Shetland, of obscure origin and regularised by Earl Patrick Stewart), teinds and burial expenses, would have been quite easy to verify, and, therefore are unlikely to have been omitted or wrongly valued.

1. Hope's Major Practicks, i. 297.

2. SRO, O. & S. Tests, ii, fos. 179 & 183-4, conf. 18 Nov. and 9 Dec. 1613.

3. Hope's Major Practicks, i, 286.

The executor had to find a cautioner who was willing to stand surety that the items listed in the testament were forthcoming to all those who had a legal interest in them. The cautioner, then, had an interest in the accuracy of the document. So, too, did the commissary who, though he might overlook small underestimates and omissions, was unlikely to allow the general level of duty to become unrealistically low. The commissary court officials must also have developed considerable expertise in judging what was a likely valuation and what were probably proportions of sheep, cattle, grain etc. for a family of a particular class in a particular area. In our sample testament the cattle, young and old, are valued altogether at over £50, more than two thirds of the worth of the whole inventory. If in an area cattle were the dominant feature of the economy, the commissary was unlikely to be convinced without good reason that the household of a deceased person possessed few or none. It seems much more probable that, if there were items omitted from or undervalued in the inventory, they would be fairly thinly and evenly spread over all the categories of goods in order to minimise the chances of detection.

It would, then, be unwise to assume that Ola Johnson's household had precisely the possessions listed and no more. But, taken one with another, testaments should be accurate enough to be used as evidence, for example, of the extent to which various kinds of animals and crops were important to the economy of different areas, of the kinds of goods which were to be found in the households of people of different classes, and as a basis for comparing the standard of living in different areas.

Source material for the seventeenth century, although quite plentiful, has certain limitations. We have already referred to the problem of lack of balance in the amount of information available for different areas. Insufficiency of evidence also makes it impossible to deal satisfactorily with some topics: it is, for example, not possible to assess at all accurately the size and fluctuation of population levels in our area at this time. But it is possible to examine the pattern of land-owning and of tenure, the produce of estates and its distribution through trade, the methods of farming and nature and extent of other occupations in the community, and the relative wealth of the various classes. These are the main subjects to be discussed in the following pages.

Chapter II

The Pattern of Landowning

To establish the pattern of landownership in our island areas is fundamental to this study. In seventeenth-century Scotland as a whole the products of the land were the main source of wealth. Landowning, therefore, was the most important source of economic privilege, while it also conferred influence over the population of the land. Both wealth and influence would vary according to the amount of land owned; wealth would also be affected by the duties paid by the owner for the land, and influence would be modified by such factors as the size of the estates of neighbouring proprietors and the length of time the land had been in the hands of the same family. These are the main aspects of landownership which we shall examine in the following pages.

The basis of this chapter is the study of the Registers of Sasines: the Particular Registers for Argyll, Inverness-shire (incorporating which is now Ross and Cromarty), Orkney and Shetland; and the General Register, in which any landowner could, if he wished, have his instrument of sasine entered as an alternative to using the Particular Register for his area. There are, however, some gaps in the extant Registers,¹ while the sasines which they contain often do not give all the information set out in the original charter transferring

1. See above, p. 12.

the ownership of a piece of land. They do not, for instance, always make clear whether a disposition was redeemable or not, and usually they do not list the duties payable for the land. For these reasons a large number of original charters and sasines and the Register of the Great Seal have also been examined.

A great difference emerges between the number of land transfers in the Western Isles and the number in the Northern Isles. For the Western Isles approximately 500 registered sasines survive from the seventeenth century, besides documents relating to at least fifty other land transactions there.¹ In both Orkney and Shetland the numbers are very much larger, making necessary the adoption of a sampling technique to deal with them. Three periods of approximately ten years each have been selected, and all the sasines registered within these periods have been examined. The periods chosen were 1617 to 1629, a time when there are some defects in the registers for both island groups,² but which shows the situation at the earliest time in the century covered by these records; 1660 to 1669 was selected as a period near the middle of the century, and 1690 to 1699 to show the position at the close of our time of study. The number of surviving sasines for each sample period ranges from 350 to 1000 for Orkney and from 300 to 450 for Shetland.

The striking contrast in the numbers of seventeenth century land transfers involving the Western and the Northern Isles indicates

1. This figure is not exhaustive, as it has not been possible in the time available to examine all private collections.

2. See above, p. 12.

deep differences in the pattern of landowning in these two areas. In general, in the Western Isles land was held in units which were substantial and sometimes very large indeed, while changes of ownership, apart from the succession of sons to their fathers, were infrequent.

Sometimes the whole of a considerable sized island was the property of the head of one family. MacDonald of Sleat owned the whole of North Uist after 1628 when Hector MacLean of Duart sold him the few lands he had held there;¹ the rest of the island, which included the £40^{land} of North Uist and some lands held of the Bishop of the Isles, had belonged to Sleat from the beginning of the century.² Barra was the property of the MacNeils of Barra,³ and Tiree was completely owned by the MacLeans of Duart until 1674, and after that by the Earls of Argyll.⁴ It was, however, only after a long struggle, ostensibly because of MacLean's debts but mainly, in reality, because of the great political influence of Argyll, that Duart's lands eventually changed hands.⁵

Most of the larger islands as well as some of the smaller ones contained the lands of two or more proprietors who sometimes held land in other islands or on the mainland of Scotland. Skye had four proprietors: the districts of Sleat in the south east and Trotternish in

1. SRO, Lord MacDonald Papers, Extract Registered Disposition to Sir Donald MacDonald, 8 Sept. 1628 (GD 221, Bundle 5).
2. SRO, Particular Register of Sasines [PRS], Inverness, 1st series, vii, fos. 293-4, regd 22 July 1656.
3. PRS, Invss, 1st series, vii, fos. 253-4, regd 4 June, 1656.
4. SRO, General Register of Sasines [GRS], 1st series, xiv, fos. 288-92, regd 9 Feb. 1624, and 3rd series, lxx, fos. 292-342, regd 11 July 1696.
5. Highland Papers, i, ed. J.R.N. MacPhail (Scottish History Society [SHS], 1914), 242-334.

the north belonged to MacDonald of Sleat, who also owned North Uist;¹ Duirinish, Vaternish, Bracadale and Minginish in the central and north western parts of the island belonged to MacLeod of Dunvegan, who was also the owner of Harris, and ^{of} Glenelg on the mainland;² Strathardle in the east was the property of the MacKinnons, whose territories included Mishinish in the north of Mull;³ and a small part of Trotternish belonged to MacLeod of Raasay (also styled Mac Gillichallum) whose main property was the island of Raasay to the east of Skye.⁴

Mull was also divided among several proprietors. The districts of Duart and Aros on the east side of the island, along with the pre-Reformation church lands of Ross of Mull in the south west and the island of Iona, formed the biggest property and was held by the MacLeans of Duart and later by the Earls of Argyll. The MacLeans of Duart and their successors also owned Tiree, the north part of Jura, the small island of Luing close to the coast of mainland Argyll, and various other small pieces of land on other islands as well as land on the mainland in Morvern.⁵ Lochbuie in the south east of Mull was the property of MacLaine of Lochbuie, and he also had a small property in Jura.⁶ MacLean of Coll, besides that island, held lands in Quinish in the north of Mull,⁷ and we have already seen that MacKinnon of

1. For Sleat and North Uist see above, p. 25, note 2, for Trotternish, PRS, Invss, 1st series, vii, fos. 294-5, regd 22 July 1657.

2. Ibid. fo. 256r, regd 18 June 1656.

3. PRS, Invss, 1st series, iv, fos. 66-68, regd 16 May 1628.

4. PRS, Invss, 1st series, vii, fos. 26-27, regd 12 Oct. 1648.

5. GRS, 1st series, xiv, fos. 288-92, regd 9 Feb. 1624.

6. GRS, 3rd series, xxv, fos. 360-4, regd 12 Aug. 1670.

7. GRS, 1st series, li, fos. 349-52, regd 5 Sept. 1642.

Strathardle owned the district of Mishinish.¹

The landowning situation in Mull particularly was complex compared with most of the Western Isles. Lewis and Harris, for instance, which together formed the Long Island, belonged respectively to the MacKenzies of Seaforth, who acquired it in 1610 after the failure of the government-supported colonisation policy,² and to the MacLeods of Dunvegan, whose island of Harris was an ancient possession.³ Most of South Uist was the property of the Captain of Clanranald;⁴ only the district of Begistill in the extreme south west belonged to another proprietor, namely MacNeil of Barra.⁵ In the island of Islay after 1614 Campbell of Calder was the main proprietor, and he extended his lands by acquiring most of the Islay property of MacLean of Duart in 1627,⁶ and the tenantry of Lossit from the Bishop of the Isles in 1636.⁷ This left only a few small areas of the island in other hands, as, for example, was the two merk ten shilling land of Ballinaby in north west Islay. In the early years of the seventeenth century this land was the property of a branch of the family of MacBeth, once hereditary physicians of the Lords of the Isles,⁸ but later in the century it was in the hands of a family of Campbells.⁹

1. See above, p. 26, n. 3.

2. Registrum Magni Sigilli [RMS], vii, 127-8, no. 341.

3. See above, p. 26, n. 2.

4. GRS, 3rd series, L, fos. 370-4, regd 9 Aug. 1684.

5. PRS, Invss, 1st series, vii, fos. 253-4, regd 4 June 1656.

6. GRS, 1st series, xxii, fos. 272-3.

7. GRS, 1st series, xliii, fos. 301-5.

8. Historical Manuscripts Commission [HMC] 4th Report, appx Scotland, Duke of Argyll, p. 480, no. 121, charter, 10 July, 1609.

9. PRS, Argyll, 1st series, ii, fos. 145-7, regd 10 July 1650.

In the Western Isles, then, most of the land was owned by a very small number of men. With a few exceptions like the MacBeths, who had their lands of Ballinaby in return for their professional services, the proprietors ranged from men whose estates were of a moderately large size, like MacNeil of Barra, MacLean of Coll, or MacDonald of Benbecula (a close relative of Clanranald, of whom he held Benbecula in feu),¹ to men whose island estates were very large: MacDonald of Sleat with his island of North Uist as well as his extensive lands in Skye, MacLeod of Dunvegan with his estates in Skye and Harris, and MacLean of Duart with his holdings in Mull and Jura, his island of Tiree and several other properties. But the most powerful of all were men whose chief lands lay on the mainland of Scotland: in the north MacKenzie of Seaforth who owned Lewis held large estates in present-day Ross and Cromarty;² and in the south the Campbells of Argyll, who by the early years of the seventeenth century had acquired Colonsay and the south part of Jura through the fall of the MacDonalds of Islay and their supporters, the MacDuffies of Colonsay,³ and by the end of the century had made themselves masters of the extensive island lands of the MacLeans of Duart.⁴

There were, however, a few of the smaller islands off the mainland coast of Argyll which did not fit into this pattern. Two of these were the islands of Lismore and Seil. They formed part of

1. PRS, Invss, 1st series, vii, fos. 159-60, regd 26 Nov. 1652.

2. PRS, Invss, 1st series, v, fos. 116-19, regd 12 Oct. 1633.

3. GRS, 1st series, i, fos. 92-93, regd 13 Nov. 1617.

4. See p. 25, n. 5.

the earldom of Argyll, but some land in each had long ago been granted by Argyll to a cadet branch of the family - the Campbells of Glenorchy - as a part of the third of the lordship of Lorne.¹ During the seventeenth century irredeemable feu charters were granted by both Glenorchy and Argyll of quite small portions of land in Lismore. In 1640, for example, Argyll granted the two merk land of Claclease to Sir Donald Campbell of Ardnamurchan, who in turn feued it to one John MacEwan alias Campbell.² In 1678 the Earl of Caithness (formerly Campbell of Glenorchy) feued the three merk land of Balliveolan and the four merk land of Ballimakillichan to Colin Campbell, eldest son by his second marriage of John Campbell of Balliveolan.³ In Seil ten merks of Glenorchy's lands, comprising the three townships of Ardencaple, Camuslaich and Carnban, had been feued to a family of MacDougalls since the 1560s before which MacDougall had held a tack of the lands.⁴ The island of Gigha off the west coast of Kintyre was also exceptional in this way: it formed the main property of the MacNeills of Taynish, who in the latter half of the seventeenth century feued out several small areas such as the six merk land of Druimeonbeg, Leim and Druimachro, which in 1673 was sold to Donald MacNeill of Galdchailzie.⁵

1. GRS, 1st series, xxiii, fos. 382-4, regd 15 Sept. 1628.
2. GRS, 1st series, xlix, fos. 196-7, and xlvi, fos. 489-91.
3. GRS, 3rd series, xli, fos. 152-6.
4. SRO, Documents deposited by Messrs. J.K. and W.P. Lindsay W.S., Writs relative to the lands of Ardencaple, Notarial Instrum. taken by John Seillach MacDougall, 1567, and Tack to John Seillach MacDougall, 1559 (GD1/421/13).
5. PRS, Argyll, 2nd series, i, fos. 12-13.

The reasons for these exceptions are difficult to categorise. The MacNeills of Taynish between 1650 and 1700 also granted a number of wadsets (mortgages) on their property of Gigha.¹ They were clearly very short of money since they were having to sell or wadset parts of their main property. But whatever the financial circumstances of Argyll and Glenorchy at the various times when they made the small grants we have mentioned, they could not have had any significant effect on finances of their great estates. Both these families owned large tracts of land on the mainland of Scotland, and it is possible that they were consciously introducing practices more common on the mainland to small, outlying portions of their estates. Some of the feuars, like John MacDougall who obtained lands in Seil and Colin Campbell who acquired Balliveolan, are known to have belonged to families already connected with the lands which they feued; it seems likely, therefore, that one of the main motives of Argyll and Glenorchy was to increase the security of these vulnerable, small, outlying possessions by attempting to ensure the loyalty of leading local families.

The predominant pattern of landownership in the Western Isles, of medium and large estates generally fairly compact in form, although they could be spread over part or all of several islands, was in sharp contrast to the position in the Northern Isles. Here in place of a small group of very large landowners, one owner dominated the scene. This was the owner of the crown and ancient earldom lands in the islands.

1. e.g. GRS, 3rd series, xvi, fos. 377-9, regd 4 May, 1667 and PRS, Argyll, 2nd series, i, fo. 319r, regd 31 Mar. 1630.

(The earldom lands had been annexed to the Scottish crown in 1471 when Earl William Sinclair had exchanged them for estates in Fife. In the following pages these and the rest of the lands belonging to the crown will all be termed crown lands.) In a valuation of the whole free rents of Orkney made in 1653, the total rent of those islands was calculated as £56,551 of which the crown rents accounted for £19,291, i.e. just over a third of the total.¹ There is no known valuation for the whole of Shetland during the seventeenth century, but its share of the cess or land tax in the later seventeenth century was always half that of Orkney, and of this the owner or lessee of the crown rents paid one third.² Thus in both Orkney and Shetland the free rents of the crown were reckoned to be worth some third of the total free rents of the islands. But the crown lands could not have been as much as a third of all the lands of the islands, since the crown rents included the old Norse land tax of scat and other associated duties payable to the holder of the crown lands by the owners of other lands, as well as the duties of crown land feued to other men.³ The latter increased considerably in the course of the seventeenth century.⁴ A rental of Shetland of 1716 to 1717 informs us that in these islands the crown's property land consisted of 1,310 merklands, or approximately one tenth of the lands in Shetland. In addition there were 1,587½ merklands feued by the crown to others, a

1. SRO, Morton Papers, The True Valuation of His Majesty's Rents with the Bishopric and Heritors in Orkney, 1653, (GD 150/2017/1653).
2. Gardie House MSS, Gardie House, Bressay, Shetland, Extract Discharge of Cess, 1679 (location: Vetro-Lateral File).
3. E.g. see A. Peterkin, Rentals of the Ancient Earldom and Bishoprick of Orkney, (Edin. 1820), Rentale Orchadie Pro Rege et Episcopo, 1595.
4. See below, p. 38.

further eighth.¹ Until 1664, when the Earl of Morton feued out large areas of crown land, much of this had belonged in property to the owner of the crown lands.² There is, unfortunately, no similar way of calculating the extent of the crown lands in Orkney.

In the Orkney Islands besides the proprietor of the crown lands, there was one other very large landowner. This was the proprietor of the bishopric lands there. Before 1614 the bishopric lands had been scattered throughout Orkney and Shetland, but in that year by means of a charter of excambion with the crown they were consolidated in the parishes of Holm, Orphir, Stromness, Sandwick and part of St. Ola on the mainland of Orkney, and in the islands of Shapinsay, Hoy and Walls.³ In the 1653 valuation the free rents of the bishopric were stated to be £6796, or about one eighth of the whole value of Orkney. Like the crown rents, the bishopric rents included scat and feu duties payable by other owners in these parishes.⁴

We have seen that in the Western Isles many large areas remained in the possession of the same families throughout the seventeenth century. This was true of neither the crown nor the bishopric lands in Orkney and Shetland. From the late sixteenth to the early seventeenth century they belonged to Patrick, Earl of Orkney. After his forfeiture in 1611 the crown lands were taken back into the hands of the monarch and set to a series of tacksmen⁵ until 1643 when they were

1. SRO, Orkney and Shetland Papers [O & S Papers], Copy Zetland Scat Rental, 1716-17, p. 122.
2. For a Discussion of Shetland merklands see below, p.35.
3. SRO, Protocol Book of Thos. Auchinleck, fos. 75-82.
4. GD 150/2017/1653.
5. E.g. SRO, Kinross House Papers, Copy Tack of Orkney and Zetland set to Treasurer Napier, 19 May 1627.

wadset to the Earl of Morton, who had since 1633 held them on a liferent tack. During the interregnum from 1651 to 1661 Morton was dispossessed, and in 1669 the crown again annexed the lands after Morton had fallen into disfavour.¹ For the rest of the century the crown lands were once again let to tacksmen.²

After 1612 the bishopric lands became the property of the restored bishops of Orkney, ~~and~~ But from 1641 to 1662, when episcopacy was once more abolished, their revenues were awarded to the city of Edinburgh.³ When in 1690 presbyterianism was finally established in Scotland, the bishopric lands came into the hands of the crown, and they were set in tack along with the rest of the crown lands in Orkney and Shetland.⁴

The Crown and bishopric lands in Orkney and Shetland differed from the large estates in the Western Isles in another important respect: they did not consist of compact areas of land. An examination of the 1595 rental of lands in Orkney shows that it was not uncommon for the ownership of one township to be divided among the crown, the bishopric and other proprietors as well. This was the case, for example, with the 1½d land of Halla in Deerness, where ¼d was crown land, ½d belonged to the bishopric, and the rest was

1. Morton Papers, Petition of James, Earl of Morton (for reinstatement in Orkney and Shetland), n.d.
2. ³Ibid., Copy Regd Tack to Mr Robt Douglas of the Crown Rents of O & S, 21 Dec. 1696.
3. RMS, ix, 373, no. 1014, 10 Nov. 1641.
4. E.g. Morton Papers, Copy Regd Tacks (two) to Mr Robt Douglas of the Crown and Bishopric Rents of Orkney 13 Oct. and 21 Dec. 1696.

the property of others; and in Aikerbuster in Holm, a $4\frac{1}{2}$ d land, 1d was crown land, $1\frac{1}{4}$ d bishop's land, and the remainder of the township belonged to others.¹ Even after 1614 when the bishopric lands were consolidated in eight Orkney parishes, although crown and bishopric no longer both held lands in the same district, other proprietors were not affected, and continued to hold lands in the same areas as either the crown or the bishopric. An account of 1683 of the King's lands in Shetland shows that the crown lands there lay in a multitude of small districts scattered through every major island.²

But other proprietors together accounted for over half the free rent of Orkney in 1653,³ and approximately two thirds of the free rent of Shetland in the latter part of the century.⁴ The transactions of these people fill the bulky seventeenth century Registers of Sasines for Orkney and Shetland. To illustrate the wide variety in the sizes of holdings in both these island groups a table has been drawn up classifying the sasines from our sample periods roughly according to the extent of the areas of land transferred.

It is impossible to be very accurate about the sizes of holdings because the land denominations in use at this time both in the Western and the Northern Isles were based not on the area but on the value of

1. Peterkin, Rentals, Rentale Orchadie, 1595, pp. 4, 6, 7, 13, 15.
2. Gardie House MSS, The Particular Account of the King's Lands in Shetland, 1683 (Vetro-Lateral file).
3. GD 150/2017/1653.
4. Gardie House MSS, Extract Discharge of Cess, 1679.

land at the time when the particular denomination first came into use, and this was in all cases long before the seventeenth century. Thus although the terms merklands or merks of land are found referring to lands in Orkney, Shetland and many parts of the Western Isles, they did not represent a common area of land, and it cannot be assumed that in the seventeenth century they represented a common value in land even if they had ever done so in the past, and this has never been proved.

In Shetland all lands were denoted merklands and had an additional classification in pennies to the merk. According to the number of pennies to the merk, which might vary between four and twelve, the land paid a certain rent.¹ But in the sasines the number of pennies to the merk was not always stated. In our table, therefore, the classification is in merklands. In Orkney the situation was even more complex. The ancient valuation was in pennylands, which long before the seventeenth century had diverged from each other widely in value. By 1500 the land had been given a further valuation in merks of land, while by the seventeenth century land was sometimes described according to its mailling or rent.² In our table for Orkney the classification is in pennylands; lands described in terms of merks or meils mailling³ have been converted to the commonest

1. T. Gifford, Historical Description of the Zetland Islands in the Year 1733 (Edin. 1879), 58.
2. Records of the Earldom of Orkney, ed. J. Storer Clouston, (SHS, 1914), introduction, pp. xciii-xcv.
3. A meil was an Orkney measure of weight equivalent in malt to almost one boll, Linlithgow measure.

equivalents to be found for these values in terms of pennylands. These are one merk of land and one meil mailling each equivalent to a quarter of a pennyland. It must, however, be emphasised that these are simplifications, and that the tables cannot be regarded as anything more than a rough guide to the size or value of holdings of land. It should also be noted that they are intended as guides to agricultural land only. Sasines referring only to tenements of land on which houses had been or were to be built have been excluded. So too have grants of liferents to wives and a very few grants in which the denomination of the land is not given and cannot be traced from other sources. Quoys of land, which were originally small areas of pastureland brought into cultivation, are counted as less than one pennyland. The percentages in each classification are of the total number of sasines for the relevant sample period.

TABLE I

ORKNEY

Dates	Total sasines	Under 1 pennyld	1-9 pennylds	9-18 pennylds	18-36 pennylds	36+ pennylds
		- % -				
1617-29	893 ¹	58	32½	4½	2½	2½
1660-9	605	50	33½	6½	4	6
1690-9	317	57	28	4	5½	5½

1. This figure includes sasines in the Protocol Bk of David Heart, preserved in the SRO.

TABLE II

SHETLAND

Dates	Total Sasines	Under 5 merklds	5-50 merklds	50-100 merklds	100-200 merklds	200+ merklds
		- % -				
1623-9	300	55	41	2	23	1 1/3
1660-9	449	33	55	6	2	4
1690-9	264	27	66	4	2	1

It is clear that the sizes of holdings throughout the century in both Orkney and Shetland were varied in the extreme. Apart, however, from the crown and bishopric estates none remotely approached the value of the greatest estates in the Western Isles. A detailed valuation of Orkney made in 1653 shows that the free rent of the greatest private landowner there, one David MacLellan of Woodwick, amounted to just over £1,800 per annum. The estates of Bellenden of Stenness were worth over £1,400, and there were only another six landowners with estates of an annual value greater than £1,000.¹ This may be contrasted with a valuation of 1644 for Inverness-shire in which the MacLeod estates of Harris and Skye were valued at over £10,000 per annum as were the MacDonald lands in Skye and North Uist. Clanranald's island estates in South Uist and Eigg were stated to have an annual value of £5,733. MacKinnon of Strathardle had a valued rent of £2,400 for his lands in Skye alone, and we have seen that he also held lands in Mull. The estates of the wealthiest private landowners in Orkney were worth rather more than the lands of MacNeil of Barra, whose lands were worth annually,

1. SRO, Presentation by A.W. Johnston, Valuation of Orkney 1653, (GD 1/303/1).

according to the 1644 valuation, £1,000.¹

In Shetland there is no such valuation to guide us. The largest known seventeenth century grant of land was a charter of 1638 from Andrew Bruce of Muness, son of Laurence Bruce of Cultmalindie, the half-brother of Earl Robert Stewart. Andrew Bruce made over to his son, Andrew, an estate of 1,569 merklands, or about one eighth of the land in Shetland.² We have no means of knowing accurately how much these land were worth annually to Bruce, but in 1665, he in turn granted to his son, Hector, an annualrent of £1,000 to be drawn from the rents of some 500 merklands.³ If this represented the approximate value of these lands, it would give an annual income of around £3,000 from the estate transferred in 1638. If this were so, it would mean that Andrew Bruce of Muness had a higher income from land than the biggest private landowners in Orkney.

Shetland sasines of the 1660s give a good impression of the sizes of the largest estates at that time, for during that period the Earl of Morton through his chamberlain, Alexander Douglas of Spynie, feued out large portions of the crown lands in Orkney and Shetland. Most of the bigger landowners in Shetland took feus of some of this land and had their previous holdings confirmed at the same time. In the

1. 'Valuation Roll of the Sheriffdom of Inverness 1644,' printed in C. Fraser MacKintosh, Antiquarian Notes, (Stirling 1913), 365-71.
2. Gardie House MSS, Rental of the Lands contained in Andrew Bruce elder's charter in favour of his son, 1638 (Vetro-Lateral file).
3. PRS O & S, Shetland, iv, fos. 315-19, regd 29 Mar. 1666.

1660s we find three other proprietors besides Bruce of Muness with estates of over 500 merklands: Mr James Mowat of Ollaberry had over 800 merklands, mostly in the north mainland of Shetland;¹ Thomas Cheyne of Vaila held more than 600 merklands mainly in the west mainland and islands;² and John Sinclair of Quendale succeeded his brother in an estate of some 500 merklands almost all in the south mainland.³

Like the lands of the crown and bishopric, most of the larger Orkney and Shetland estates were not compact in form. There are exceptions like the lands of Stewarts of Burray whose main property consisted of the islands of Burray, Flotta and Swona in the south of Orkney,⁴ although even they had some scattered lands in the island of South Ronaldsay.⁵ But many other proprietors of standing held lands in several districts. James Bailie of Tankerness in 1661 held lands in the parishes of Firth, Harray, Birsay and Sandwick besides his twelve pennylands of Tankerness and other lands in St. Andrews.⁶ Andrew Bruce of Muness in Shetland owned in 1664, in addition to his 76½ merklands of Muness, very many pieces of land scattered throughout the northern isles of Unst, Yell and Fetlar, in the island of Bressay in the east, and in six mainland parishes.⁷

1. Ibid., fos. 362-4, regd 12 Mar. 1667.

2. Ibid., fos. 130-2 and 156-9, regd 27 Sept. 1664.

3. Ibid., fos. 108-14, regd 26 July 1664.

4. GD 1/303/1, p. 46.

5. PRS O & S, 2nd series, i, fos. 43-45, regd 8 Jan. 1662.

6. Ibid., fos. 3-4.

7. PRS O & S, Shetland, iv, fos. 165-9.

At the other end of the scale there were in both Orkney and Shetland vast numbers of very small properties. Tables I and II on pages 36 and 37 show that in the period 1617 to 1629 in Orkney and 1623 to 1629 in Shetland well over half the land transfers were of pieces of land amounting to less than one pennyland in Orkney, and to under five merklands in Shetland.¹ The figures for the period 1660 to 1669 show a considerable drop in the percentage of such transfers in both areas. But these figures are distorted by the feu charters granted at this time by Alexander Douglas of Spynie acting for the Earl of Morton. We know that in 1664 and 1665 all or almost all proprietors in Orkney and Shetland took feu charters of their lands from Spynie.² But the proportion of registered sasines following on from Spynie's feu charters was much lower in the case of very small holdings than the proportion for such holdings in the sasines for 1660 to 1669 taken as a whole. In Shetland only 5% of the 149 registered sasines following Spynie's feu charters involved holdings under five merklands; and in Orkney only a quarter of sixty-four similar registered sasines involved holdings of less than one pennyland. The very low percentage for Shetland is explained by the issue of documents called heritable tacks which state in their preamble that the grantee was too poor to pay the full cost of a feu charter and that the heritable tack conveyed similar rights.³ Sasine did not have to be taken on heritable

1. N.B. No equation is implied between one Orcadian pennyland and five Shetland merklands. They were merely convenient small units for use in tables I and II.
2. Morton Papers, Copy Letter Earl of Morton to Mr Geo. Gordon, Oct. 1664 (GD 150/2542/7).
3. E.g. SRO, Bruce of Symbister Papers, Heritable Tack from Spynie to Laurence Manson in Laxo, 15 July 1664 (box 12).

tacks; there was, therefore, no record of them in the Registers of Sasines. Possibly some similar scheme was in operation in Orkney, although the author has not found any heritable tacks from those islands.

The figures for sasines in the period 1690 to 1699 are free from such distortions. They show that in Shetland the proportion of grants of under five merklands had declined by half during the course of the century - from 55% in the period 1623 to 1629 to 27% in the years 1690 to 1699. This indicates a substantial drop in the number of very small landowners. The proportion of land transfers falling into each of the larger categories except that of 200 merklands and over had, however, increased, particularly the proportion in the category five to fifty merklands, which had risen from 41% to 66% of the total. Grants of fifty merklands and above had increased from 4% to 7% of the total transfers. When it is considered that each of these transfers conveyed lands perhaps ten times greater (and sometimes much more) than the lands in the lowest category, it is clear that by the close of the seventeenth century much of the land of Shetland was held by owners of at least moderate substance.

In Orkney the figures tell a somewhat different story. The proportion of sasines for holdings of less than one pennyland had not declined significantly by the end of the century but the total number of sasines in the period 1690 to 1699 had dropped by almost two thirds from the figure for 1617 to 1629. It appears that the number of very small landowners had been considerably reduced but that the remainder were still selling land in some quantity. The proportion of sasines for lands of one to nine pennylands had declined from $32\frac{1}{2}\%$ to 28% of the total transactions in the same period of time. In contrast

to the position in Shetland, these small to moderate sized estates did not benefit from the decline of the very small estates, but were themselves also in decline. Owners of eighteen pennylands and over, however, more than doubled their share of the land transfers in the course of the century, from 5% in the period 1617 to 1629 to 11% in the period 1690 to 1699. Thus in Orkney there was a greater trend towards the amassing of large estates than there was in Shetland.

Although it is impossible to be precise about the size of holdings of land, an impression of how small they could be in Orkney and Shetland is gained from noting the sums for which some small quantities of land were wadset. For example, in the parish of Harray in Orkney in 1624 sasine was given of one farthingland wadset for £20;¹ and in the parish of Holm in 1649 one eighth of a pennyland was wadset for £22.² In Shetland in the parish of Delting two merklands were wadset for £48 in 1662;³ and in 1690 sasine was given of three merklands in Tingwall, wadset for £66-13-4d.⁴ These sums would be somewhat less than the value of the lands had they been sold irredeemably; nevertheless, lands with such low wadset prices must have been very small indeed.

Nor did these small holdings consist of compact pockets of land. For all the available evidence shows that the normal arrangement in

1. PRS O & S, 1st series, ii, fo. 241r.
2. PRS O & S, 2nd series, i, fos. 217-8 - a renunciation.
3. PRS O & S, Shetland, iv, fos. 32-33.
4. PRS O & S, 2nd series, iv, fo. 457r.

Orkney and Shetland was for arable lands to be cultivated on the runrig system, and this included the lands of different proprietors in the same township. For Orkney a sasine of 1625 is particularly explicit: in Nether Mirbister in the parish of Harray half a merk of land was sold by one Andrew Linklater to a local man, James Louttit; it was described as the third rig of every eight rigs of Andrew's pennyland there, with fractions of several areas of meadow and grass land, and an eighth share in his hill land.¹ In Shetland sasines frequently described lands transferred by some such phrase as in the town and among the lands of X, as in the case of one and a half merklands in Uyea, Morthnavine, which three sisters sold to John Williamson in Nibon in 1662.² It may be readily appreciated that this system led to a large number of disputes over land, and the record of one of these shows that not only small landowners but also the holders of large estates could be involved if they held only a part of the lands of a particular township. In 1690 in Kirbister in the Orkney parish of Orphir a legal perambulation was arranged in order to define precisely which lands belonged to Francis Murray who was alleged to hold some eleven merklands there. Other proprietors of land in this township included David Covingtrie, a merchant in Kirkwall, and Harry Graham of Breckness, a very important Orkney landowner. A paper of objections to the verdict of the assize stated that they 'should have begune with the toune land where all the heritors hes ther land lyeing runrigg (that is, rigg about)'.

1. PRS O & S, 1st series, iii, fos. 61-62.

2. PRS O & S, Shetland, iv, fos. 92-93, see also fos. 297-8 and 371-2.

The same case shows that such lands were also subject to re-allocation, for the assize decided that, for the sake of good neighbourhood and peace in the future, all the arable land in the township should be redivided among them.¹

Another great difference between the Western and the Northern Isles, which for simplicity has so far not been mentioned, lay in the terms on which lands were held. In the Western Isles in the seventeenth century and in the extant charters before that time, the only terms on which lands were held were feudal; the lands were held by a vassal of a superior on certain conditions, the ultimate superior of all feudal land being the king. A piece of land was normally transmitted in its entirety to one heir, usually by primogeniture, and heirs male had a preference over heirs female. This was the form of landholding common to Scotland as a whole, and, as we have seen, the Western Isles had been formally subject to the laws of Scotland since 1266. It was a system which discouraged the subdivision of estates and so prevented the proliferation of very small holdings.

Two basic types of feudal tenure were operative in the Western Isles in the seventeenth century. One was the ancient feudal form of wardholding, which involved military service by the vassal proprietor to the superior, and the payment of certain (usually heavy) casualties on specific occasions. These included wardship, whereby if the heir were a minor, the superior had the right to the rents of his estates until he attained majority; relief, whereby the heir

1. SRO, Scarth of Breckness Muniments, Decreet of Perambulation with a paper of objections, 28 Nov. 1690 (GD 217/30).

had to pay a sum of money for his inheritance; and marriage, whereby originally a superior could choose a marriage partner for an heir who was a minor, but by the seventeenth century a sum of money was usually exacted in place of this.

Large areas throughout the Western Isles were held in ward of the king: MacLean of Duart's barony of Duart,¹ MacLaine of Lochbuie's lands in Mull and Jura,² MacLeod of Dunvegan's estates in Skye and Harris,³ and Seaforth's Island of Lewis before 1638,⁴ are the most important examples of this. By the early seventeenth century it was usual for the casualties to be commuted for fixed sums of money. The king's charter of 1610 to MacKenzie of Kintail put the ward and relief of Lewis at 180 merks and the marriage payment at 900 merks.⁴ There are also instances of tenure by wardholding in cases where the superior was not the king. MacQuarry of Ulva held his lands, which formed part of the barony of Duart, of MacLean of Duart for military service;⁵ and Claclean in Lismore was held by tenure of wardholding of the Earls of Argyll.⁶ But there is no evidence that any lands were granted for the first time in wardholding during the seventeenth century, while in 1638 the Earl of Seaforth was granted a new infeftment

1. GRS, 1st series, li, fos. 368-71, regd 7 Sept. 1642.

2. RMS, vii, 246-7, no. 663, 11 June 1612.

3. PRS Invss, 1st series, iii, fos. 304-6, regd 16 Nov. 1626.

4. RMS, vii, 127-8 no. 341, 20 July 1610. N.B. 1 merk = 13/4.

5. SRO, Inquisitionum Retornatarum Registrum, xi, fos. 122-4, 29 Jan. 1630.

6. PRS Argyll, 1st series, ii, fos. 177-81, regd 15 Dec. 1651.

of Lewis for the annual payment of £2,000 in place of all the former exactions of wardship.¹ Wardholding, then, was slowly declining in the Western Isles, although large areas continued to be held in ward into the eighteenth century. The loyalty of the vassal to the superior which was implied by this form of landholding had served a useful purpose in earlier times when chiefs had a much greater need to be able to defend their lands than they had for a regular income; but by the seventeenth century when the government was enforcing its rule much more effectively in the Western Isles this need was no longer so pressing, while the need of the crown and the chiefs for money was increasing all the time.

Wardholding, though common in the Western Isles, was by no means universal. Much land was held in feu farm. In this form of landholding a fixed annual duty was payable by the proprietor to the superior. In the Western Isles this was usually a sum of money, although sometimes there were some payments in kind. Certain services were usually either laid down or understood. Several estates were held of the king in this way, including Sleat in Skye and the £40 land of North Uist for which MacDonald of Sleat paid feu duties of £86-13-4d and £126-13-4d respectively;² the barony of Islay, which had been granted to Campbell of Calder in 1614 for an annual duty of 9,000 merks;³ and the part of Jura held by Argyll which paid to the

1. PRS Invss, 1st series, vi, fos. 132-6, regd 16 May 1638.
2. SRO, Ld MacDonald Papers, Privy Seal Precept to Donald Gorm of Sleat, 1594, (GD 221/158, box 1).
3. RMS, vii, 417-20, no. 1137.

crown besides £23-8-4d in money, twenty marts (cured carcasses of beef), 100 stones of cheese and 180 stones of oatmeal.¹

The Bishop of the Isles was another important superior of lands held in feu farm in the Western Isles. A rental of the bishopric of the Isles for the year 1693 shows that the proprietors of the bishopric lands were paying monetary feu duties. The Captain of Clanranald paid £83-6-8d per annum for Canna; the bishopric lands of Ross in Mull, with Iona and lands in Coll were held by the Earl of Argyll for £165; and MacLean of Muck paid £42-13-4d for that island.²

Once again we find that the pattern was on a smaller scale in some of the small islands close to the Argyll coast. We have already seen that Clacleac in Lismore was held in ward of Campbell of Argyll. The sasine which yields this information also conveyed other lands in Lismore to the heir of Sir Donald Campbell of Ardnarmurchan, and these included the three merk land of Balnagown, which paid a small monetary feu duty, and the two merk land of Killendrist, which paid oatmeal and bear as well as money.³

Because of paucity of evidence it is impossible to say much with certainty about the history of either wardholding or feu farm tenure in the Western Isles before the seventeenth century. Wardholding was the more ancient form in Scotland, and some of the more important seventeenth century instances in the Western Isles may have been a

1. RMS, vi, 694-6, no. 1911, 30 May 1607.

2. SRO, Campbell of Barcalaine Muniments, Rental of the Bishopric of the Isles, 1693 (GD 170/213).

3. See above p. 45, n. 6.

legacy of the terms of landholding under the Lords of the Isles. MacLean of Duart and probably also MacLain of Lochbuie seem to have acquired many of their lands from the Lord of the Isles,¹ while MacLeod of Dunvegan and MacLeod of Lewis had once acknowledged him as their superior.²

On the other hand some at least of the feu charters granted by the Bishops of the Isles were not of long standing. Dean Monro, writing in 1549, stated that the island of Muck was at that time the property of the bishop, and that Canna belonged to the abbot of Iona.³ After being for a time forcibly possessed by the MacLains of Ardnamurchan,⁴ Muck was in 1617 feued by the Bishop of the Isles to Lachlan MacLean of Coll.⁵ Canna, too, was for a time forcibly possessed - by the Captain of Clanranald⁶ - but in 1627 a charter of Canna was granted by the bishop to Lord Lorne, eldest son of the Earl of Argyll⁷ (the lands of the abbey of Iona had been annexed to the bishopric of the Isles in 1615). But feu farm tenure was not new in the Isles in the seventeenth century. A crown charter of March 1587/8, granting a new infeftment of the lands of Ross in Mull, relates

1. Highland Papers, i, 242.

2. I.F. Grant, The MacLeods (London, 1959), 43-55.

3. Monro's Western Isles of Scotland, ed. R.W. Munro (Edin. 1961), 67 nos. 128 and 129.

4. Anon. Description, printed in Skene, Celtic Scotland, iii, appx III, p. 434.

5. RMS, viii, 43, no. 140.

6. See above, n. 4.

7. HMC, 4th report, appx Scotland, Duke of Argyll, p. 480 no. 127, and The Acts of the Parliaments of Scotland [A.P.S.], iv, 554.

that the grantee's grandfather, Hector MacLean of Duart, had held the lands of the commendator of Iona.¹ A crown charter of 1594 which granted lands of Skye and North Uist to Donald Gorm MacDonald of Sleat mentions the old feu duty as well as a new augmentation.²

Feu farm tenure in the Western Isles did not, however, entirely replace personal services by regular payments in money or kind. Most of the extant evidence concerning feu duties is not precise as to the services expected in addition. But a few charters are more detailed. There is particularly clear evidence for the island of Benbecula. This island together with some lands in South Uist was held of the crown by MacDonald of Sleat until 1643 and after that by the Marquis of Argyll, for a feu duty of £44 and £42 respectively.³ The lands were held of them by the Captain of Clanranald, who in 1610 obtained a crown charter of confirmation which enumerates in great detail the burdens on this estate; they included a feu duty of £46, the upkeep of a suitable house and grounds, and personal service to his superior, including military service by sea and land against anyone except the king whenever it should be required.⁴ Clanranald, in turn, feued the lands of Benbecula to an uncle on terms which included the payment of fifty-six merks of feu duty, the personal services of hosting and hunting, and relieving the granter of all

1. RMS, v, 509-11 no. 1491.

2. See above, p. 46, n. 2.

3. Id MacDonald Papers, Copy Assignment by Sir Donald MacDonald of Sleat to the Marquis of Argyll, 21 Aug. 1643 (GD 221/106).

4. RMS, vii, 128, no. 342.

services by sea and land which the latter owed to his superior.¹

It is clear from these instances that personal service was still playing an important part in landholding in the Western Isles in the seventeenth century. Despite stronger rule by the central government throughout the Western Isles, landowners were still finding the loyal services of vassals valuable.

Once again, when we turn to the Northern Isles, we find a very different situation. Here feudal landholding was a fairly new development. The first recorded feudal grant of land in either group of islands was a charter of 1535 of the island of Sanday in Orkney from King James V to James Sinclair, victor in the battle of Summerdale.² After 1560 in Orkney and 1570 in Shetland many feu charters followed, the granters being in most cases either churchmen or Earl Robert Stewart, and the grantees usually their friends, relations and followers, incomers to the islands. These charters created some of the greatest seventeenth century estates in Orkney and Shetland: the Balfour estates in Westray and Papa Westray, amounting to over 160 pennylands, were first feued by Bishop Adam Bothwell to Gilbert Balfour, master of the queen's household, in 1560;³ The Bellenden lands in Evie and Stennes, including 72½d pennylands in Evie alone, were feued in 1565 by the same bishop to Patrick Bellenden, brother of the Justice Clerk of Scotland, Sir John Bellenden of Auchnoull;⁴

1. SRO, Clanranald Papers, Charter of Novodamus from Donald MacDonald of Moydart to Donald MacDonald of Benbecula, 16 Mar. 1680 (GD 201/1/121).

2. Orkney and Shetland Records, ed. A.W. & A. Johnston, i, (Viking Society, 1907), 109-114, no. 58.

3. RMS, iv, 401-2, no. 1668.

4. RMS, iv, 418-19, no. 1710.

and the lands of the extensive lordship of Tingwall in Shetland, which were formerly the property of the archdeaconry of Tingwall, were in 1587 feued to Patrick Cheyne of Essilmonth, nephew of Mr Jerome Cheyne, the archdeacon.¹ There were also a host of similar, but lesser grants like Earl Robert's disposition in 1591 of the eighteen pennylands of Housbie in Stronsay, Orkney, to Hugh Sinclair of Brough in Shetland, who had been married to Grizzel Stewart, the Earl's late natural daughter.²

None of these lands were held by wardholding but all by tenure of feu farm. This is a reflection of the preference of the Earl and the church men for a steady income rather than the loyal services of vassals. The church had no need of such services, and the Earl was powerful enough compared with other landowners in Orkney and Shetland to do without them or to compel them by other means.³

Very often the feu duty on these early grants, especially those made by the church, was a monetary one, derived from the value of converted payments in kind. Usually the grantee had the option of paying in kind if he preferred, but as the conversion rate was fixed and the value of money declined steeply in the late sixteenth century, the duties were paid in money. The Bellendens of Stenness in Orkney and the Cheynes of Essilmonth with their lordship of Tingwall in Shetland were among the landowners who held their lands on these terms.⁴

1. RMS, v, 448-9, no. 1314.

2. Prot. Bk. Thos Auchinleck, fo. 24.

3. See above, pp. 9-10.

4. See above, pp. 50 and 51, notes 4 and 1 respectively.



But many other feuars had to pay their duties in kind. The valuation of Orkney of 1653 shows, for example, that Thomas Buchanan of Sound paid 'superior duty' of four barrels and four and a half lispounds¹ of butter, two mells of malt and a little meal for his lands in the parish of St. Ola, although for his main estate in the island of Shapinsay he paid a monetary duty of £520-1-4d.² In Shetland even some of the larger estates feued in the late sixteenth century paid duty in kind as they had formerly been listed to pay in the rental. John Mowat of Hugoland received a grant of over 300 merklands from his father, Andrew Mowat of Hugoland; in March 1576/7 he obtained a crown charter of confirmation of these lands on feudal conditions with the duty payable in butter and wadmél (coarse local cloth) according to the rental.³

The crown lands feued out by Spynie in 1664 and 1665 also usually paid duties in kind. Besides a money composition for the charter, the new owner had to pay in feu duty what had previously been the rent of the land. This usually included a small money element and substantial duties in kind. A money equivalent was set on the duties in kind, but this was high by the standards of the day and the feuars preferred to pay in kind if they could.⁴

But the ancient form of landholding in Orkney and Shetland was

- I. Lispound - a local weight. At this time 12 lispounds = 1 brl.
2. GD 1/303/1, pp. 12 and 47.
3. RMS, iv, 727-8, no. 2672.
4. Gifford, Historical Description, 55 and 64-68.

not feudal but udal or allodial. Udal ownership was an inheritance of Norse rule in the islands. In the ancient Norwegian laws of Gulathing and Frostathing dating from the eleventh and twelfth centuries, and in the code of Magnus the Lawmender adopted in the whole of Norway in the thirteenth century, there were elaborate provisions governing udal landholding.¹ The Lawmender's code remained in force in Norway until 1604 - almost to the end of the period when the Norse laws were in force in Orkney and Shetland.² We have seen that in the sixteenth century Shetland at least maintained contact with Norway for legal advice and as late as 1602 was using its own lawbook on the Norwegian model.³ As this is no longer extant we cannot know precisely what rules were in force in Shetland before 1611 to govern land transfers. Still less can we know about the position in Orkney. But we can show the general principles of udal ownership from the Norwegian laws together with some aspects of local usage.

The most important difference from the feudal mode of landholding was that udal land was owned outright. There was no superior, and no services or duties were owed by the proprietor for his land. Landowners owed only scat, the old Norse land tax, and other associated taxes. On the death of an owner or udaller, with certain small exceptions all the children had a right to an equal share of the land, except

1. Laurence M. Larson, The Earliest Norwegian Laws (New York, 1935), 170-87 and 371-6; and Norges Gamle Love, ii, (Christiania, 1848), 92-103.
2. Knut Gjerset, History of the Norwegian People (New York, 1969), ii, 192.
3. See above, p. 5.

that a daughter's share was only half that of a son.¹ The only concession to primogeniture was that the heir chief in line should inherit the heid buile, or chief dwelling house and surrounding land, but the other heirs had to be compensated with land or moveables elsewhere. This rule operated in Shetland, although probably not in Orkney.²

The Norse laws made elaborate provisions for the redemption of land sold to persons outside the udal family. It is, however, not clear how minutely these rules were enforced in the Northern Isles. The best guidance we have is an ordinance of the Shetland Lawting (head court) of 1604, which after relating that there was great confusion about the buying and selling of land in Shetland, laid down that before selling land to others a man must first offer it to his nearest kin 'according to the use and constitute [consuetude] of the contrie'; if they refused to buy, the owner had next to offer it to the Earl of Orkney. (This last condition seems to be one of the Earl's self-interested innovations.)³

Under the udal system of landholding, because lands were divided among all the children of a family, the tendency was for estates to be much smaller than under the feudal system whereby the

1. E.g. Recs. Earldom Orkney, 112-16, no. 51, Division of Estate of Cara, 1562/3; and Court Bk Shetland, 95.

2. *Ibid.*, 38 and 99, and Recs. Earldom Orkney, intro., p. lxi.

3. Court Bk Shetland, 150.

land normally descended intact to one heir. The estate of the Irvings of Saba, which amounted to only thirty five pennylands, was the biggest udal property on record in Orkney in the period immediately before feuing began, and J. Storer Clouston has calculated that it was shared by at least six portioners (members of the family who owned parts of the property).¹ The largest Shetland udal estate on record in the late sixteenth century was the property of William Sinclair, one of the three sons of Oliver Sinclair of Brow: in March 1578/9 he obtained a crown charter of his udal estate of some 500 merklands, thenceforth to be held on feudal terms.² These holdings may be contrasted in extent with the 164 pennylands in Orkney feued by Bishop Adam Bothwell to Gilbert Balfour, and the 1,569 merklands in Shetland which Andrew Bruce of Muness made over to his son in 1638. But before the seventeenth century it seems likely that the rights of pre-emption and redemption of land, which rested with a udaller's nearest kin, prevented the excessive fragmentation of many udal estates.

After the abolition of the Norse laws in Orkney and Shetland in 1611, udal landholding did not suddenly cease. Many sasines, especially in the first half of the seventeenth century, narrate that a udaller who was selling a piece of land had obtained the consent of his near kinsmen: Euphemia Grindilla had the consent of her late sister's daughter, Bessie Soullis, to the sale of her farthing of

1. Recs. Earldom Orkney, 220-2 no. 115, Crown Charter to James Irving of Saba, c. Feb. 1536-7, and Storer Clouston, History of Orkney, (Kirkwall, 1932), 279-80.

2. RMS, iv, 784-5 no. 2850.

udal land in the parish of Sandwick in Orkney in 1624;¹ in the same year Thomas Coutts in Hundagarth in the island of Unst in Shetland obtained the consent of his two cousins, Magnus and James Coutts, to the sale of eleven and a half merklands there to James Strang of Voesgarth.² There is also some evidence in the sasines of the continuance of the practice of sharing out udal lands equally amongst all the children on the death of an udaller. A striking example of this is to be found in Shetland in a group of sasines of 1628 after the death of Jerome Nicolson of North Califf, Tingwall; his eldest son, Jerome Jeromeson, made grants of scrupulously equal shares of land to each of his five brothers, while his two sisters were granted a similarly valued share between them.³ It is, however, impossible to assess how widespread this practice remained in the seventeenth century, since it is known that udallers could and did transmit land without either charter or sasine.⁴ This right was renewed for certain holders of udal lands by a parliamentary act of 1690 which ordained that vassals of kirklands in Orkney and Shetland could 'bruike by the udall right, without necessitie of renovatiōne of their rights and infeftments' if the valuation of their land did not exceed £20.⁵

1. PRS O & S, 1st series, ii, fos. 181-2, see also fos. 98r and 183-4.

2. PRS O & S, Shetland, ii, fos. 38-9, see also fos. 58-9 and 87r.

3. Ibid., fos. 101-6.

4. Gardie Papers, Spynie's Instructions to Thos Leslie and Jas Kinnaird on Feuing the King's Tacks and Udal Lands, 1664, para 9 (Vetro-Lateral file).

5. APS, ix, 200.

After 1611 the Scots law and legal administration operated in Orkney and Shetland. There is no evidence that this made any provision for upholding the rules of udal succession if the udaller himself did not wish to continue the customs. As we shall see, geared as they were to the feudal forms of landholding, the Scots laws hastened the decline of the udal system; but this decline did not begin in 1611. In Orkney where, unlike Shetland, there had been a large influx of Scots settlers during and even before the sixteenth century, udal institutions may have begun to be weakened very early.¹ They had certainly been in decline in both island groups since the later sixteenth century when feuing had been introduced on the earldom and bishopric lands. Before 1611 some owners of udal lands had obtained charters which converted holdings to feudal tenure. This was the case, for example, in Orkney with the lands of the Halcro family in South Ronaldsay; they were converted to feudal terms of holding as early as 1544/5.² In Shetland we have already noted that William, son of Oliver Sinclair of Brow, had his lands converted to feudal tenure, out of a desire, according to the charter, to set an example to his countrymen. The Stewart earls, too, were large contributors to the decline of the udallers through their policy of manipulating the law to their own advantage, their exorbitant fines, increased taxation and altered weights and measures.³ In addition the status of udal land began to be undermined

1. J. Storer Clouston, 'The People and Surnames of Orkney', Proc edings of the Orkney Antiquarian Society, ii, (1924), 31-36.

2. RMS, iii, 726-7, no. 3101.

3. See above, pp. 9-10.

by the introduction of feudal terminology in a udal context, as, for instance, in the preamble to the 'Uthell Buik of Orkney' of 1601, which claimed to be 'the register buik of the haill uthell landis within the country of Orkney, fewit be ane noble and potent Lord Patrick, Erle of Orkney, Lord of Zetland, to the uthellāris thereof, thair airts and assignys of na hiear degrie nor themeselves'.¹

There is abundant evidence of the decline of udal landholding in both Orkney and Shetland after 1611. With the commencement of the Register of Sasines in 1617 we have a record of numerous grants of udal land by udallers in which it is stipulated that the land is to be held from (a) the granter of (de) the crown, while the scat and other taxes payable become by implication the duty to the "superior". In Shetland the wording was usually some variant of the following phrase: 'to be held from the granter of the crown in feu or udal heritage for yearly payment of scat and wattle conform to the rental';² and in Orkney sasines the phrase was 'to be held by two several infeftments, one of the granter blench farm, and the other of his immediate superiors as freely as he holds it'.³ Some of the grantees are known to have been feuars of land in the islands, like James Kintore in Scalloway Banks in Shetland, to whom Ola Janson

1. SRO, Presentation by H. Marwick, Copy Uthell Buik of Orkney, 1601, (GD 1/236/2), p. 1.

2. E.g. PRS O & S, Shetland, ii, fos. 69 no. 138, 125r and 131-2.

3. E.g. PRS O & S, 1st series, ii, fos. 40 [no. 2], 167-8 and 228r. N.B. Blench farm means for a nominal payment only.

disponed three quarters of a merkland in Hoove, Whiteness, in 1628.¹ Feuars like Kintore may have put pressure on the notaries who drew up the documents to phrase them in the feudal manner in order to ensure that they would not be subject to any udal restrictions. But in other cases the grantees were humble men, sometimes even members of the udal family, like Andrew Flett, the brother of three udallers who sold him their inheritance of one and a half farthinglands in the parish of Harray in Orkney in 1622.² In these instances it seems likely that the phrasing was the idea of the notaries who drew up the charters and sasines, and whose legal training would prejudice them in favour of the Scots usage. The notaries, too, were educated men, much closer in social class to the greater feuars than to the humbler udallers, virtually none of whom, as the sasines show, could even sign their names. The process of feudalisation had gone so far by 1633 that a petition was sent to the Scots parliament, requesting that none should be interposed between the udallers and the crown, but that they should remain the direct vassals of the crown until the king should adjust their rights to conform to the laws of Scotland.³

This was accomplished in 1664 and 1665 when the Earl of Morton, then wadsetter of the crown lands, was authorised by the king to grant feu charters to the holders of udal land on the grounds that 'this udall right is meerlie a possessione and no kynd of fundamentall right

1. PRS O & S, Shetland, ii, fo. 125r.

2. PRS O & S, 1st series, ii, fo. 40 [no.2].

3. APS, v, 53.

or tytill by chartour or seasing'.¹ All or almost all the udallers of Orkney and Shetland took feu charters of their lands at this time, paying amoney composition andthe previous scat with a small money augmentation as the feu duty.²

Udal landholding was also declining because of direct pressure from the feuars, many of whom had the resources to buy land from impoverished udallers, large numbers of whom, in the course of the seventeenth century, were forced to mortgage or sell their lands. The near kinsmen of the udal family, who in preceding centuries would often have taken over these lands, were now very often poor men themselves, unable to buy or redeem the property. Thus the main checks which had operated against the excessive subdivision of udal estates were removed. Small lots of land were now frequently bought up by the representatives of the new feudal families who were aiming to build up or increase their landed estates. In the parish of Holm in Orkney in the period between 1617 and 1629 thirteen grants of land were made by udallers to Patrick Smith of Braco, who had acquired the nucleus of an estate there from the bishop of Orkney in 1617, and enlarged it from about five and three quarter pennylands at that date to twelve and a half pennylands in 1624, and still further thereafter. This he did by purchasing land from the bishop and numerous small proprietors of land in the parish, then obtaining confirmation of his acquisitions from the bishop in the shape of a feu charter.³ In

1. GD 150/2542/7.

2. Gifford, Historical Description, 50 and 61-64.

3. E.g. PRS O & S, 1st series, i, fos. 26-28, and ii, fos. 102, 187-9 and 190.

Shetland in the parish of Dunrossness between 1623 and 1629 there were fifteen registered sasines of lands granted by udallers to persons other than their own children. The grantee in six cases was James Sinclair of Quendale, who is recorded as a feuar of lands in 1620.¹

By the later seventeenth century, with the confusion of udal with feudal terms of landholding, with Spynie's feu charters to the udallers, and with the continued sale of udal lands by udallers to feuars, we find that the term udaller had lost much of its sixteenth century meaning. There were increasing numbers of sasines in which persons were designated udallers who are known to have held their land on feudal terms, and whose only connection with the udal system was that they had acquired land which in origin was udal. For instance, William Moncrieff, a former chamberlain of the mainland of Orkney for the Earl of Morton, feued from Spynie approximately ten pennylands of crown land in Birsay in 1664. In 1667 he bought three quarters of a pennyland in Greenay there from the udaller of the land; this he passed on in its entirety to Anna Moncrieff, who was probably his daughter, although he had a son, Nicol, who inherited most of his feued crown land. In 1669 Anna and her husband, a Kirkwall merchant named Harry Erbury, are described in a sasine as the udallers of the land in Greenay.² Similarly John Sinclair of

1. E.g. PRS O & S, Shetland, ii, fos. 28 (nos. 49 and 50), 78 (no. 163), and 79 (no. 166); also Bruce of Symbister, Feu Charter by Jas Sinclair of Quendale to John Gifford of Wethersta, 19 July 1620 (box 12).

2. PRS O & S, 2nd series, i, fos. 30-31, 173 and 227-9, and ii, fos. 91 [no.2], 79-80, and 114-5.

Quendale in Shetland is described as udaller of various lands which he granted to his youngest son, Robert, in 1668. These lands were all his by virtue of either a precept of clare constat from Spynie as heir of provision to his late elder brother Laurence Sinclair, or a feu charter of the same year also granted by Spynie. Moreover, not all the land granted to Robert was udal in origin, for the thirty six merklands of Sandwick was feued crown land.¹

The decline of udal landholding and the rise of feuing are well illustrated by a systematic study of the Registers of Sasines for our sample periods. As with the examination of the sizes of land transfers in Orkney and Shetland, ~~all~~iferents to wives were discounted and the study was confined to agricultural land. Sasines were classified into two main categories according to whether the granter was stated or known from other sources to be anudaller or a feuar. It is not correct to assume that a man was a udaller because the lands were stated to be udal: he might, as we have seen, have been a feuar, or he might have been a wadsetter. This left a sizable miscellaneous group of sasines for which it proved impossible to determine the status of the granter. The udaller and feuar categories were subdivided as follows: sasines of succession - where the grantee was a son, daughter or other direct heir of the granter; sasines to feuars - where the grantee is known to have been a feuar; sasines to 'small' men - a category difficult to define precisely, but intended to show whether much land was being acquired by men of no great substance, such as relations of udallers, small tenants, and

1. GRS, 3rd series, xx, fos. 297-82, and PRS O & S, Shetland, iv, fos. 102-7 and 108-14.

other obscure local people (it is unfortunately impossible in most cases to distinguish grantees who were already udallers, as this information is never given in the sasines); finally there are the sasines of confirmation and grants from superiors to vassals. This category applies only to feued land, and includes the various lands feued out by Spynie in the 1660s, where it is often impossible to tell from the sasine whether the land was confirmed, newly-feued or a mixture of both. This subclassification leaves a few sasines where the grantee does not fit into either the feuar or the 'small' man class, as, for instance, is the case with merchants who were not also feuars of land, but were nevertheless likely to be men of at least moderate means. These were added to the miscellaneous group of sasines. The results are shown in tables III and IV on pages 64 and 65.

Tables IIIa and IVa illustrate the very marked decline of udal landholding during the course of the seventeenth century in both Orkney and Shetland, but it should be borne in mind that the sasines must under-represent the number of transfers of udal land, for we have seen that udallers sometimes held their land without either charter or sasine. In Shetland before 1630 the percentage of registered sasines where the granter is known to have been an udaller is 39%, but in Orkney it is only 29%. This lower figure for Orkney reflects the considerable infiltration of Scotsmen there in the sixteenth century. Besides the large number of people who began to feu land in the later part of the century, many acquired udal land through marriage or purchase. Their influence is likely to have accelerated the decline of udal practices in the transference of land. In addition it is possible that there was less udal land in Orkney than in Shetland, but because the units of land valuation in Orkney

(continued on p. 68)

ORKNEY

TABLE IIIa

UDALLERS AND THEIR LAND

Dates	Sasines by udallers	Succession	To feuars	To 'small' men	Misc.
	- % -				
1617-29	29	4	9	16	30
1660-69	16	5	6	4	25
1690-99	6	1	2	3	36

TABLE IIIb

FEUARS AND THEIR LAND

Dates	Sasines by feuars	Succession	To feuars	To 'small' men	Confirmations
	- % -				
1617-29	36	5	27	2	7
1660-69	43	15	22	6	17
1690-99	56	14	38	3	3

SHETLAND

TABLE IVa

UDALLERS AND THEIR LAND

Dates	Sasines by udallers	Succession	To feuars	To 'small' men	Misc.
	- % -				
1623-29	39	6	15	15	42
1660-69	19	4	7	6	12
1690-99	4	0	2	1/2	35 1/2

SHETLAND

TABLE IVb

FEUARS AND THEIR LAND

Dates	Sasines by feuars	Succession	To feuars	To 'small' men	Confirmations
	- % -				
1623-29	27	1	16	5	0
1660-69	32	10	14	5	42
1690-99	73	20	34	4	4

(see notes on next page)

NOTES ACCOMPANYING TABLES IIIa, IIIb, IVa and IVb.

1. Percentages are, in each case, of the total number of registered sasines for the relevant sample period. The percentages of sasines of succession, sasines to feuars, sasines to udallers, miscellaneous sasines and confirmations in each sample period add up to 100%, tables (a) and (b) being taken together.

2. Confirmations are not counted in the total of sasines made by feuars. This is because there was no similar practice in the case of udallers, and the confirmation does not represent a real transfer of lands.

3. The percentage of sasines where the granter was an udaller and the percentage of sasines where the granter was a feuwar are sometimes greater than the total percentages of the sasines of succession, sasines to feuars and sasines to 'small' men. The reason for this is that in a few of the sasines in the miscellaneous category, although the grantee could not be classified, the granter was an udaller or a feuwar. These sasines are included in the 'sasines by udallers' and 'sasines by feuars' columns.

4. These tables are supplemented by the fuller tables in appendix I, which show the position parish by parish and also in the major islands. These vary considerably, especially in Orkney. The tables shown on pages 64 and 65 were worked out by adding the totals for each parish and island in the various sample periods and calculating the percentages. As many sasines convey lands in more than one parish or island, the figures on pages 64 and 65 may be very slightly different from the results which would have been obtained by dealing with each

sasine as a whole. The work involved in analysing the sasines was, however, too great for it to be done twice over in the time available.

were so varied it is impossible to gauge the proportion of the land there which was udal.

By the end of the century in both Orkney and Shetland the percentage of land transfers where the granter was a udaller had sunk very low, to 6% of the total transfers in Orkney and 4% in Shetland. For Orkney the figures obtained from the sasines can be checked with the persons shown as udallers in a list of those liable to pay poll tax, compiled between 1694 and 1696. The returns are extant for most of the parishes and islands in Orkney; they give a total of approximately 2,100 families, of whom 123 or just under 6% are stated to be udallers.¹ But, as we have seen, it is doubtful if the term udaller by this time retained much of its sixteenth century significance. The steeper decline of udal landholding in Shetland is spread over the whole century and shows itself in the greater proportion of udallers' lands passing into the hands of feuars in Shetland than in Orkney, especially in the periods 1623 to 1629 and 1690 to 1699. It is likely that in the 1660s the resources of the feuars were largely taken up by the feuing of crown lands from Spynie.

Transfers of land from feuars show a correspondingly increasing proportion of the total land transfers through the seventeenth century. Even in the 1620s they constitute a significant proportion of the total, at 27% in Shetland and 36% in Orkney. In Orkney in our three sample periods the percentage of the sasines made by feuars increased steadily to reach 56% of the total in the 1690s. In Shetland, however, by far the greater increase occurred in the

1. SRO, O & S Papers, List of Residents in Orkney Liable in Payment of the Poll Tax (2 vols.), 1694-6.

latter part of the century, for the percentage of sasines by feuars was 32% of the total in the 1660s but 73% in the 1690s. Thus we see that, although feuing had progressed further in Orkney in the early seventeenth century, by the end of the century the decline of the udaller and the progress of the feuar were, if anything, greater in Shetland than in Orkney.

The pattern of landholding in Orkney and Shetland in the seventeenth century was, then, steadily changing. The old Norse udal mode of landholding declined steeply as Scottish influence in the islands increased. The impoverishment of the udallers especially at the hands of Scottish earls, Robert and Patrick Stewart, the granting of crown and church lands by feu charter mostly to Scottish incomers, the resources of the greater feuars to buy up udal land, and the backing which the Scots law gave, after 1611, to the feudal form of landholding, were all important factors in explaining this decline. Expanding all the time was the proportion of land in these islands held on feudal terms. Statistics on land transfers show, however, that despite the reduction of udal landholding to insignificance, there were still many very small properties in 1700.

But the pattern of landownership in the two groups of northern isles was not completely alike. In Orkney feuing was more extensive in the early years of the seventeenth century than it was in Shetland, where the decline of the udaller was not so great until the last thirty years of the century. The reason for this was that the influx of Scots settlers was earlier and greater in Orkney than it was in Shetland, for Orkney was both more accessible to Scotland via the many east coast ports of the mainland, and much more fertile than was Shetland. There formal feuing comparable in scale to feuing in Orkney did not come about until Spynie's feus of the 1660s.

This was a very different situation from that of the Western Isles, where, as we have seen, all landholding was on feudal terms, and huge areas remained in the ownership of the same families at the end of the century as they had been at or near the beginning of it. It is true that some feuars in Orkney and Shetland, like the Bellendens of Stenness¹ and the Bruces of Miness² retained their estates throughout the seventeenth century. But it was relatively easy for a man of moderate means to acquire land, and the sizes of estates fluctuated considerably with the acquisition or disposal of portions of land. In the Western Isles estates were usually much larger and much more stable.

But the pattern of landownership was not quite so stable as our description of the position in the Western Isles has so far suggested. For in comparison with the small number of landowners in the Western Isles a large number - some 120 - of wadsets and apprisings (compulsory mortgages following legal processes for recovery of debt) were made. Of these approximately three quarters originated in the latter half of the seventeenth century, and only one quarter in the period 1600 to 1650. This imbalance may be accounted for in part by the fact that the Register of Sasines, in which most of these discovered in this study were recorded, did not begin until 1617. On the other hand the sasines did not always specify that a grant was a wadset, and in some cases a wadset is discovered only through a later renunciation of the land. Thus information was collected

1. PRS O & S, 2nd series, vi part 1, fos. 173-4, regd 3 May 1699.

2. Ibid., fos. 133-4, regd 12 Aug. 1698.

on wadsets granted before 1650 through renunciations granted after 1650. But in our study the Registers were not examined for the period after 1700; information, therefore, was not gathered on late seventeenth century wadsets through renunciations made after the year 1700.

The wadsets were usually granted for fairly large sums of money. The smallest recorded in the sasines and known to date from the seventeenth century was a wadset of four merks of land in Seil granted by John MacDougall in Ragray in 1643 for 600 merks,¹ and it has already been shown that Seil was atypical in the small size of its properties. Other wadsets were for sums ranging from 1,000 merks to almost 27,000 merks for which Clanranald in 1633 wadset his lands in Uist, Eigg and on the mainland, to MacDonald of Sleat.² Apprisings could be even larger, ranging up to the 85,785 merks for which Sleat's lands in Skye and North Uist were granted to the Earl of Middleton in 1666.³

These wadsets, increasing in numbers through the century, were a consequence of the growing state of indebtedness of the landowners in the Western Isles, of which there is much evidence in the records. MacLean of Duart was in deep financial trouble as early as the 1630s when he granted several bonds, including one for 7,000 merks to John Fairholm, a merchant in Edinburgh.⁴ An obligation of 1637 subscribed

1. PRS Argyll, 1st series, ii, fos. 61-62.

2. PRS Invss, 1st series, v, fos. 49-51.

3. PRS Invss, 2nd series, iii, fos. 74-76.

4. MacLeod Papers, Dunvegan Castle, Skye (temporarily in the custody of SRO), Account of Debts by the Laird of MacLean to the Laird of MacLeod, 1662 (box 14c).

by various MacLeans in favour of the Earl of Seaforth and others narrates that Seaforth had taken the burden for defraying the debts of Sir Lauchlan MacLean of Morvern (the heir of Duart) and relieving his house and estate 'and present distress the samen is in'.¹ It was debt, probably unscrupulously magnified by Argyll, which led to the downfall of the MacLeans of Duart in 1674.

Clanranald was another important island landowner whose financial troubles began quite early in the seventeenth century. In 1633 a discharge was signed by the Earl of Seaforth on a commission granted to him by Clanranald for collecting all the debts and rents of the latter's lands 'for the releifing of his burdines and debtis resting to us and utheris'.² Later in the same year Clanranald granted to Lord Lorne, eldest son of Argyll, a wadset of Moidart and Arisaig on the mainland together with some lands in South Uist in return for over £26,000 which he owed to him; furthermore, he had to agree that, after the money was repaid, he would hold all his lands of which the crown was not the direct superior, of Lord Lorne only.³ These lands included Benbecula and some of South Uist which he had previously held of MacDonald of Sleat. The financial difficulties of the Captains of Clanranald continued. In 1680 the Earl of Argyll made a declaration that on account of Clanranald's good services, he would not seek relief out of the 20,000 merks which the latter was owing to him,⁴ while in 1700 an account of Clanranald's debts to

1. Highland Papers, 1, pp. 320-3.

2. Clanranald Papers, Discharge to Clanranald By Colin, Earl of Seaforth, 5 Mar. 1633 (GD 201/1/37).

3. Ibid., Contract betw. Ld Lorne and MacRonald of Moidart, 29 June 1633 (GD 201/5/903).

4. Ibid., Declaration by Argyll, 10 Mar. 1680 (GD 201/5/935).

MacDonald of Sleat stood at £64,000.¹

The MacDonalds of Sleat themselves were accumulating vast debts, and their estates were the subject of several appraisings in the period after 1660. In 1656, for example, Sir James MacDonald of Sleat granted a bond for £3,554 to Robert Davidson and Laurence Kinneir, two Edinburgh merchants; in 1669 he was put to the horn for non-payment of the sum.² In 1661 he became obliged to pay the Earl of Middleton 24,000 merks, and in 1666, as we have seen, his estate was appraised in favour of Middleton.³ Twelve years later, in 1678, a number of MacDonalds took an oath to help to free the Sleat family of debt and retrieve it from ruin;⁴ a list of debts due by Sir Donald MacDonald in 1679 amounted to over 100,000 merks.⁵

There is similar evidence that the MacLeods of Dunvegan, the Campbells of Calder, the Earls of Seaforth and several lesser land-owning families also accumulated large debts during the seventeenth century. Some indebted landowners, like MacDonald of Sleat, were also the creditors of others. But this was often of no real advantage to them, for debtors like Clanranald, who in 1700 owed Sleat the sum

1. *Id* MacDonald Papers, Account of Sir Dond MacDonald with Clanranald, 27 May 1700 (GD 221/bundle 66).
2. *Ibid.*, Bond by Sir Jas MacDonald, 30 Apr. 1656, and Horning against Sir Jas MacDonald, 14 Dec. 1669 (GD 221/bundle 5).
3. *Ibid.*, Obligation by MacDonald of Sleat to Middleton, 11 Feb. 1661 (GD 221/bundle 5), and above, p. 71.
4. *Ibid.*, Oath of various MacDonalds, 1 Feb. 1678 (GD 221/bundle 106).
5. *Ibid.*, Principal Sums due by Sir Jas MacDonald of Sleat to his Creditors Undernamed, 18 Apr. 1679 (GD 221/bundle 6).

of £64,000, were very unlikely to have been able to repay the money they owed in the short term. Meanwhile powerful creditors could take advantage of the debtor's position. Thus the Argyll family was able to extend its influence when in the 1630s Lord Lorne became Clanranald's superior, and in the later years of the century when the Earl of Argyll ousted the MacLeans of Duart from their huge estates.

But despite the heavy debts of many of the landowners of the Western Isles, very few estates changed hands or were broken up in the seventeenth century. This is to a large extent attributable to the loyalty of their kinsmen and vassals which was shown so clearly in the oath previously referred to, which the MacDonald gentry took to the house of Sleat in 1678, and in the number of wadsets taken up by kinsmen on this and other estates.¹ This loyalty arose out of two interrelated factors: one was the long history of ownership, or at least possession, of many areas in the Western Isles by the same family; and the other was the continued influence in the west of Scotland of the ancient Celtic form of society, which had taken shape in what is usually known as the clan system, and which placed particular emphasis on the kindred group and the senior ruling family within it; this family was very often, even as late as the seventeenth century, in possession of the land on which the clan lived.

The reasons for the increasing indebtedness of landowners in the Western Isles in the seventeenth century are varied. Firstly, there was the closer contact between the island chiefs and the government. This brought the chiefs new financial commitments. In

1. E.g. GRS, 3rd series, xlix, fos. 375-7 and liv, fos. 263-5; and PRS Invss, 2nd series, v, fo. 238.

1614, for instance, MacLean of Duart, MacDonald of Sleat and MacLeod of Dunvegan had to find 10,000 merks each in security that they would in future keep the peace; MacKinnon of Strathardle and MacLaine of Lochbuie had each to find 5,000 merks security. These sums were used for ensuring among other things that the chiefs made regular payment of their feu duties and ~~and~~ other dues to the crown.¹ The expenses of their annual compearance before the Privy Council were also heavy. Something of the burden this constituted can be ascertained from a letter written by Sir Rory MacLeod of Dunvegan to James VI in 1622. He complained that in those peaceful times he still had to make his annual compearance to his great hurt and charges. Because of the great distance of his lands from Edinburgh he had to be in the Lowlands the better part of half the year to the neglect of his estates. He, therefore craved a seven year respite from compearance, during which time he promised to improve his house and grounds 'and diffray my debtis and pay my creditouris that I may be frie'.

The same letter illustrates another new source of expense for the island landowners, namely, the outlay for policing their lands for the crown. MacLeod also craved a respite from creditors for his son-in-law, the Captain of Clanranald, on the grounds that the latter's late father had spent great sums in reducing his kin, tenants and neighbours to the king's obedience, thereby contracting large debts which his son was unable to repay.² MacLeod was, doubtless,

1. RPC, 1st series, x, 699.

2. National Library of Scotland [NLS], Gregory's Historical Collections, Copy Letter from Sir Rory MacLeod to James VI, 31 Aug. 1622 (MS 2133, pp. 113-5).

making the best of his case, but the new tasks which the chiefs were now having to undertake must have added very considerably to their expenses.

There were, too, indirect consequences of the increased contact of the island landowners with the central government and, indeed, with the Lowlands in general. One result of their increased subjection to the laws of the realm was large bills for the services of lawyers. For legal services in the years 1636 and 1637 John MacLeod of Dunvegan owed one John MacLey £3,632-9-4d;¹ and an account of 1656 of money due by Sir James MacDonald of Sleat to Mr John Bayne shows that he owed Bayne £2,974-19-8d mainly for legal expenses.²

Another result of their increased contact with the Lowlands was the development of a more sophisticated style of living on the part of the chiefs. Accounts of the MacLeods of Dunvegan show this clearly. An account of 1653 with a Glasgow merchant included London cloth at £15 per ell and twenty-one dozen gold buttons; the total bill was £405-13-8d. A tailor's bill of 1656 amounted to £439-5-8d, and one of 1694 totalled over £1,000. For household items ranging from prunes and nutmegs to an oven, MacLeod in 1692 had to pay £654-9/-, while one and a half year's board for his eldest son, who was being educated in Edinburgh, his governor (Martin Martin) and a servant, cost MacLeod £720 in 1690.³ Clanranald's accounts

1. MacLeod Papers, Account of MacLeod of Dunvegan with John MacLey, 1636-7 (box 25).
2. Lord MacDonald Papers, Account to Mr John Bayne, 1656 (GD 221/bundle 106).
3. MacLeod Papers, Accounts of Laird of MacLeod to:- Peter Pattoune, 2 Apr. 1653; Wm Henderson, 8 Dec. 1656; Duncan MacIntosh, 1694; and Rorie Campbell, 18 Sept. 1692 (Box 25); and Discharge by Dond Shaw in Edinburgh to Mr Alex. MacLeod, 19 May 1690 (box 16).

contain a bill of 1669 - a time when he was in considerable financial trouble - for over £700 for expensive cloths, French ribbon and silver buttons.¹ In 1674 MacDonald of Sleat incurred a bill of more than £900, of which £102-12/- was for taffeta alone.²

Added to all these items of expenditure were the costs of the fighting campaigns undertaken by the landowners especially during the civil war period. A crown charter of 1688, which elevated the lands of Allan MacDougall of Dunolly (including the island of Kerrera) into a barony, narrated the sacrifices of that family in the Cromwellian period, and their help in suppressing Argyll's rebellion in 1685, through all of which they had been brought to low estate. The grant of a barony by James VII was intended as some recompense for their losses.³

There were, then, several reasons why landowners in the Western Isles incurred large debts in the course of the seventeenth century, were obliged to wadset parts of their estates, and sometimes even had their lands appraised from them. Thus, despite the fact that few of them were forced finally to sell up their estates, their position as landowners was much less secure at the end than at the beginning of the century.

1. Clanranald Papers, Acc. of Laird of Moildart with George Graham, merchant in Edin., to Dec. 1669 (GD 201/1/350/8).
2. Id MacDonald Papers, Acc. to Mr Rorie MacKenzie, 7 May 1674 (GD 221/bundle 5).
3. Gregory's Historical Collections, Inventory of MacDougall writs, Gt Seal Chr to Allan MacDougall of Dunolly, 14 Aug. 1688 (MS 2130, pp. 344-8).

Our examination of the pattern of landownership in the Northern and Western Isles has shown a situation of great contrasts. In the Northern Isles there were variations between Orkney and Shetland caused mainly by the greater accessibility and attractiveness of Orkney to Scots settlers. But the basic situation was similar: there was a clash between the old Norse udal mode of landholding with its large number of fairly small estates, and the recently introduced practice of feuing, which led to the growth of much larger estates. After 1611 the feudal form of landholding had the backing of the Scots legal system, and gradually displaced the udal form, both directly, through the purchase by feuars of the land of udallers, and indirectly, by the steady replacement of udal by feudal terminology in charters and sasines of land granted by udallers.

In the Western Isles, if there had ever been any udal landholding, no trace was left by the seventeenth century. Feudal conditions of ownership were here, as in the rest of Scotland, long established. Estates were usually of considerable size, sometimes very large indeed. Apart from the spectacular downfall of the MacLeans of Duart, there were very few changes of ownership after the first years of the century. In the course of the seventeenth century, however, the position of most of the landowners was steadily undermined by their increasing state of indebtedness, which led to the granting of wadsets on a large scale, and also to some apprisings. Before 1700 the financial position of a few was so bad that they may have been saved from ruin mainly by the loyal support of kindred families living on their lands, who were prepared to rally round them and make large loans on the security of parts of the property. This loyalty was to a great extent a result of the continued influence in the Western

Isles of the early Celtic kin-based society which had preceded the Norse period. The landowner was still in many cases the chief of a clan living on his lands, and when an alien owner attempted to take possession of such lands, as Argyll did in Mull in the 1670s and 1690s, he had to face tremendous resistance from the local population. In the Western Isles Scottish feudal practices modified by Celtic traditions prevailed; whereas in the Northern Isles Scottish feudal practices were rapidly supplanting the Norse udal system which had, until the middle of the sixteenth century, applied universally to privately held land.

Chapter III

The Pattern of Land Tenure

We come now to consider how land was held under the proprietors. This will be termed land tenure to differentiate it from land ownership. The most useful sources of information on the general pattern of land tenure are rentals, and a considerable number of these survive for various parts of the Western Isles as well as for Orkney and Shetland in the seventeenth century. They have, however, certain distinct limitations when used for this purpose.

Detailed rentals dating from the seventeenth or early eighteenth century survive for almost all the larger of the Western Isles. But with a very few exceptions, notably the rentals of Campbell of Glenorchy's lands in Lismore which start in 1611,¹ they do not relate to the earlier part of the seventeenth century. The earliest extant rental of Harris, for example, is for the year 1680; for MacLeod of Dunvegan's lands in Skye a rental survives from 1683,² while one from Tiree dates from 1662.³ For some islands the earliest known rentals are the exchequer rentals of 1718 to 1721, which were

1. SRO, Breadalbane Muniments, Rental - Benderloch 1610-11.
2. MacLeod Papers, Rental of Harris 1680 (box 22), and Rental of the MacLeod Estates in Skye 1683 (box 22a).
3. Printed in 'An Old Tiree Rental of the Year 1662', by Niall D. Campbell, Scottish Historical Review [SHR], ix (1912), 343-4.

made after the forfeiture of various estates for the part played by their owners in the rising of 1715. Rentals of Lewis, North and South Uist, and the MacDonald and MacKinnon lands in Skye are among these.¹ Other sources of information on land tenure in the Western Isles in the early seventeenth century are also scarce. There are very few extant tacks (written leases) for this period, and no testaments. It is, therefore, impossible to find out much about land tenure over most of the Western Isles at the beginning of our period.

The problems associated with Orkney and Shetland rentals are different but also serious. There are rentals for both island groups from the early seventeenth to the early eighteenth century, but most of these are rentals of the crown or bishopric lands and revenues, which include the scat and other duties payable by private proprietors for their lands as well as the landmails (rent), and scat (from the lands on which this duty was payable²) due by the tenants of the crown or bishopric lands. While these rentals are lengthy, they do not in most cases detail the payments of individual tenants, but merely give the landmails due from each township or agricultural community. All the rentals printed in Peterkin's Rentals of the Ancient Earldom and Bishoprick of Orkney are of this kind, as are the rentals of Shetland of 1628 and 1716-1717.³

1. SRO, Exchequer Records, Rentals of the Forfeited Estates (1715) of Seaforth, MacDonald of Sleat, Clanranald and MacKinnon.
2. I.e. lands which had once been udal.
3. SRO, Exchequer Records, Rental of Shetland, 1628; and O & S Papers, photocopy of Earl of Zetland's Rental of Shetland, 1716-17.

For Orkney, however, a rental of 1642 of certain privately held lands in the island of South Ronaldsay survives,¹ and there is an unprinted bishopric rental of c. 1660-1675;² both of which list individual tenants and their holdings. A number of tacks also survive for both Orkney and Shetland; and supplementary information can be extracted from testaments, in which landmails are a very regular item in the lists of debts owing by deceased persons.

The seventeenth century sources on land tenure in the Western and Northern Isles have one great deficiency in common: they have little to say about the subletting of land and about the conditions of tenure of subtenants and cottars.³ About these we can only speculate on very meagre evidence.

Wherever detailed evidence is available, we find great diversity in the sizes of tenants' holdings. In the rental of Harris of 1680 the holdings range from less than one eighth of a pennyland to five pennylands.⁴ In Orkney the rental of 1642 of Hugh Halcro's lands in South Ronaldsay contains holdings of under one farthingland and others of over two pennylands,⁵ while an Act of Exchequer of 1627 in favour of Robert Elphinstone declares him and his heirs 'kyndlie

1. O & S Papers, Rental of Hugh Halcro of Halcro's Lands in South Ronaldsay, 1642, (RH 9/15/170).
2. SRO, Presentation by A.W. Johnston, Copy Rental of the Bishopric of Orkney, c. 1660-75 (GD 1/303/12).
3. The term cottar was generally used in Scotland to describe a married farm servant whose small holding was paid for mainly by labour services; but there is insufficient evidence to show whether it had such a precise meaning in most of our areas.
4. MacLeod Papers, Rental of Harris 1680 (box 22).
5. RH 9/15/170.

and irremovable tennentis' of forty-three pennylands in Orkney.¹

In Shetland a list of tacks of lands in the parish of Dunrossness granted by the Earl of Morton's factor in 1653 encompasses holdings of one to one hundred merklands.²

We shall look first at the larger tenants and their holdings. In the Western Isles, despite a few borderline cases, there is a quite clear division between tenants whose holdings comprised one or more townships and tenants whose holdings consisted of only a fraction of a township. It is the former group which will concern us in this section. Some, at least, of these larger tenants held written tacks of their lands and were often termed tacksman in contemporary documents. Later historians have applied the term tacksman to the class of larger tenants as a whole, emphasising not so much the possession of a written tack (which, from the small number extant dating from the seventeenth century, many of these men probably did not have) as their control over a moderate or large area of land, their superior standing over the small tenants and the military and other non-agricultural functions which, as we shall see, they performed. To avoid confusion we shall follow this usage of the term tacksman in the Western Isles.

It has sometimes been stated that tacksman made their first appearance in the Highlands and the Western Isles during the early

1. Morton Papers, Act of Exchequer in favour of Robt Elphingstone, 1 Sept. 1627 (GD 150/1656).
2. Ibid., Untitled Account Book, fo. 5r, Note of Money Received in Setting Tacks in Dunrossness, Sept. 1653 (GD 150/2015/1651).

seventeenth century.¹ Argument from silence, however, is a hazardous business in the Western Isles, as there is a dearth of documents of all kinds before 1600. But the silence is not total: there is at least one tack extant to show that tacksmen were known in the island of Seil in the later sixteenth century. This is a tack granted by Duncan Campbell of Glenlyon to John Seillach MacDougall in 1559; the tack was of three townships, Ardencaple, Camuslaich and Carnban, for a term of nineteen years, and the grantee was said to hold a tack of these lands already.² The situation in other parts of the Western Isles is, however, by no means so clear. The anonymous description of the Western Isles of c. 1577-1595 relates that 'Slait is occupiet for the maist part be gentlemen',³ which probably means that a group akin to the tacksmen had holdings in that district of Skye. The same description says of the island of Islay, 'Ilk merk land man sustein daylie and yeirlie ane gentleman in meit and claith quhilk dois na labour, but is haldin as ane of their maisters householdmen, and man be sustenit and furneisit in all necessities be the tennent, and he man be reddie to his maisters service and advis.'⁴ This suggests that in Islay some, at least, of the more important men may not have rented lands, but were retainers in the households of the proprietors, supported by a levy on tenants according to the number

1. E.g. T.C. Smout, A History of the Scottish People 1560-1830 (London, 1969), 138.
2. SRO, Presentation by J.K. and W.P. Lindsay, W.S., Tack to John Seillach MacDougall, 30 Oct. 1559 (GD 1/421/13).
3. Skene, Celtic Scotland, iii, appx III, p. 432.
4. Ibid., p. 438.

of merklands they occupied. Before the Privy Council regulations of 1616 set stringent limitations on the numbers of 'gentlemen servandis' permitted to the chiefs of the Western Isles, it was customary for them to keep large numbers of gentlemen in their households.¹ Presumably they needed even then a few locally based men to supervise the ordinary labouring tenants, but it is probable that the 1616 regulation curbing household retainers, and another of the same date which required the chiefs to set their lands to tenants for a 'constant and cleir dewytie',² greatly encouraged the granting of tacks as an alternative means to support these gentlemen.

The extent of land set in a tack varied considerably. In exceptional cases it could be less than a whole township, as in the tack of 20/- land in Balliveolan in Lismore, granted in 1629 by Sir Duncan Campbell of Glenorchy to one Archibald MacGilleune; it is known from rentals that Balliveolan was a three merk land, MacGilleune's tack, therefore was of half the township.³ A number of tacks were of only one township. Such was a series of tacks set in or about 1651 by the Marquis of Argyll of various of his ten townships in Jura: Knockrome, for example, was set to one Neill MacLaughlan VicOrquill, and Ardfin to Donald Campbell of Ballinaby.⁴ Very often, however, several farming townships were set in one tack. The 'ten touns' in

1. RFC, 1st series, x, 774.

2. Ibid., p. 775.

3. Breadalbane Muniments, Register of Tacks 1628-1717, fo. 20r (GD 112/10/7); and Rental of Lorn, Lismore and Benderloch 1675 (GD 112/9/1/2).

4. SRO, Local & Other Court Records, General Compts of Argyll 1652, fo. 21 (RH 11/6/3).

Jura already mentioned had in 1639 been set to one tacksman, Archibald Campbell of Lerags;¹ in 1626 Neill Mac Neil of Barra set a tack to Neill Uistach MacNeil, of the fourpenny land of Scurrival, the pennylands of the Isle of Fiaray and the townships of Kilbarr, Eoligaray and St. Mary and the two pennylands of Vaslan, all on the north peninsula of the island of Barra;² and in 1657 Roderick MacLeod of Dunvegan set in tack to John MacKenzie alias Campbell the pennyland of Strond, the pennyland of the Obbe, and the three pennylands of the Isle of Killegray in the south west of Harris.³ At the other end of the scale there were one or two exceptionally large tacks, like the tack of the whole of Tiree, granted in 1636 by Sir Lachlan MacLean of Morvern to Hector MacLean in Kelline, eldest son of Lachlan Og MacLean of Ardnacross.⁴

Rentals show that later in the seventeenth century it was a common practice for estate owners to set lands of diverse extent and value to their larger tenants, although it is not clear from these rentals what proportion of such tenants held written tacks. A rental of 1674 of MacLean of Duart's lands in Mull, for instance, includes among the townships set to single tenants holdings of between one and five pennylands in extent: one pennyland called Killiemor in the district of Aross was set to John Roy MacLean, while in the same

1. Ibid., 1633-43, fo. 165r (RH 11/6/2).
2. Gregory's Hist. Colls., Copy Regd Tack to Neill Uistach MacNeil, 30 May 1626 (NLS MS 2134, pp. 275-9).
3. MacLeod Papers, Tack to John MacKenzie, 5 July 1657 (box 21a).
4. GRS, 1st series, xlv, fos. 138-41.

district five pennylands including Ardnacross, Balliscate and other townships were held by Charles MacLean who was the only tenant mentioned in this rental as having a tack. How many, if any, of the other tenants held tacks there is no way of knowing.¹ (It should be noted that a pennyland in the Western Isles, as in Orkney, was not a fixed area of ground but one which in Norse times had paid a fixed proportion of the land tax. By the seventeenth century, however, they varied considerably in value as well as in area.) A rental of Harris of 1698 is similar to the rental of Mull in that the holdings of single tenants of farms here, too, ranged from one to five pennylands,² while in Islay, where the usual land denomination was the quarterland (33/4d), holdings of single tenants of townships varied from half a quarterland to groups of townships of three quarterlands and above, like the 3³/₄ quarterlands of Kilchoman, Crosprig and others in the Rhinns of Islay which were held by Mr John Campbell in 1686.³

Among the larger tenants, holders of tacks at least had security of tenure for the number of years stated in their tack. The length of tacks was extremely variable. The author has seen contemporary references to the terms of some thirty tacks of land in the Western Isles. Apart from one tack of large portions of the Duart estates in Mull, where the term was only one year, and the reason for granting it was merely to facilitate the repayment of MacLean of

1. Rental of the Lands and Estate of Duart 1674, Highland Papers, 1, 277-85.
2. MacLeod Papers, Rental of Harris 1698 (box 22).
3. Rental of Islay 1686, printed in the Book of Islay, ed. G. Gregory Smith (privately printed, 1895), 490-520, especially 505.

Duart's huge debts,¹ they range in length from three years, the term of a tack granted by the countess of Argyll to the laird of Ragray in 1640 of the small island of Torsay, north of Luing,² to three lives and three times nineteen years, which was the length of a tack granted by Sir Donald MacDonald of Sleat to Kenneth MacQueen, Notary Public, of ten and a quarter pennylands in Skye and North Uist in the year 1619.³

In general, where there is evidence, proprietors of islands in the south west granted much shorter tacks than proprietors of islands in the north west. There is, however, a dearth of evidence for the island of Mull. Five years was the duration of a number of tacks of lands in Jura granted by Argyll around the year 1651;⁴ this was also the length of the tack of the 20/- land in Balliveolan in Lismore, which, as we have seen was granted to Archibald MacGilleune by Sir Duncan Campbell of Glenorchy in 1629;⁵ the same proprietor had in 1617 set a seven-year tack of the two merks of land of Killen and others in Lismore to Duncan Stewart of Innernahyle;⁶ and we have already noted the three-year tack of Torsay, set by Lady Argyll to the Laird of Ragray. Longer tacks were not, however, unknown. The

1. Obligation by various MacLeans to Seaforth et al., 30 July 1637, Highland Papers, i, 320-3.
2. Gen. Compts Argyll 1633-43, fo. 173v.
3. Ld MacDonald Papers, Declaration anent a tack (incomplete n.d., bundle 106).
4. Gen. Compts Argyll 1652, fo. 21.
5. See above, p. 85.
6. Breadalbane Muniments, Tack to Duncan Stewart of Innernahyle 1 May 1617 (GD 112/10/1).

tack of the island of Tiree, which Sir Lachlan MacLean of Morvern granted to Hector MacLean in Kelline was for eighteen years;¹ and, according to the General Compts of Argyll for 1637, Colonsay had been set by the Earl to Coll MacGillespick, feuwar of the island of Oronsay, for the grantee's lifetime.²

Conversely, short tacks were not unknown in the north western isles. In 1686, for instance, Sir Donald MacDonald of Sleat set a five-year tack of Drimduisdale and other lands in Sleat to Captain Hugh MacDonald.³ But most tacks were of much longer duration. Apart from the above lease, and a tack granted by Lachlan MacKinnon of Strath in 1659 to his cousin of the same name for nineteen years,⁴ all other seventeenth century tacks seen by the author and relating to islands from Barra northwards to Harris were granted for the length of one life or more. In Skye on the MacDonald and MacLeod estates the favourite term of a tack was the life of the grantee and a fixed number of years thereafter, usually about twenty: the two pennylands of Drynoch and others in Bracadale were in 1649 set by John MacLeod of Dunvegan to John MacLeod in Drynoch for the lifetime of the latter and to his heirs for a further ten years;⁵ in 1640 Sir Donald MacDonald of Sleat leased twenty pennylands in Trotternish to Alexander MacDonald of Scarrinish for the length of Alexander's life and to his heirs for twenty-one years more.⁶ In South Uist,

1. GRS, 1st series, xlv, fos. 138-41.

2. Gen. Compts Argyll 1633-43, fo. 98v.

3. Id MacDonald Papers, Tack to Capt. Hugh MacDonald, 30 Dec. 1686 (GD 221/6).

4. Ibid., Tack to Lachlan MacKinnon of Torren, 28 May 1659 (GD 221/106).

5. PRS Invss, 1st series, vii, fos. 46-7.

6. Ibid., 1st series, vi, fos. 320-1.

a number of tacks were granted in 1625 and 1626 by John MacRonald, Captain of Clanranald, for the duration to two lives and eleven years more.¹

The most probable explanation of the shorter tacks prevalent in parts of the south western isles is similar to the reason why feuing began much earlier in these areas than in the rest of the Western Isles.² Almost all the instances of the granting of very short tacks come from the estates of the Campbells of Argyll and Glenorchy. Both these families had extensive properties on the mainland in or adjacent to Lowland areas, where farming was already organized on a more commercial footing. Short tacks encouraged the tenant to exploit his lands as fully as he could (often to its long term detriment) for he could not be sure of having the lands for long, while the landlord had more frequent opportunities to raise the rent at which the farm was let. Argyll and Glenorchy were introducing these methods on island properties like the south and east of Jura and the lands of Lismore, which could be closely supervised from the mainland. It is significant that the island of Colonsay which was much more exposed and vulnerable to Argyll's enemies, was, as mentioned above, in the 1630s set on a liferent tack to Coll MacGillispick, feuar of the neighbouring island of Oronsay.³ Here, perhaps, security was uppermost in Argyll's mind.

The longer tacks of the north western isles reflect a society

1. Ibid., 1st series, iii, fos. 126-7, 129-31 and 277-8.

2. See above, p. 30.

3. Gen. Compts Argyll 1633-43, fo. 98v.

where security was felt to be more important than profit, and where the more commercial land policies of the Lowlands had not yet filtered through. An extreme instance of this lack of interest in profits is to be found in the estate of MacKinnon of Strath. The heir in 1696 being a minor, his affairs were under the management of Sir Donald MacDonald of Sleat, who wrote to his doer (lawyer) in Edinburgh, John MacKenzie, on the subject of MacKinnon's estates: 'the rents of this poor interest are, I finde, pittiefully mangled by unworthie tacks procur'd easily from a besotted superior'.¹

Tacksmen in the Western Isles were more than simply tenants of large areas of land. They had certain special functions in society which we can discover from the conditions set out in various seventeenth century tacks. The tack of lands in Balliveolan in Lismore, which was granted in 1629 by Glenorchy to Archibald MacGilleune, provides a good starting point.² Besides payments in money and kind, the conditions of tenure included 'oisting, hunting, stenting, ariage, cariage, and all utheris dew services' to be performed by the grantee. 'Oisting' (i.e. hosting) was the duty of organising the people for military service and of going on military campaigns; hunting was the duty of attending the landlord when he indulged in this favourite entertainment of chiefs of the Highlands and Western Isles;³

1. NLS, Delvine Papers, Letter from MacDonald of Sleat to John MacKenzie 10 Nov. 1696, (MS 1307, fo. 147).
2. Breadalbane Muniments, Reg. of Tacks 1626-1717, fo. 20r.
3. The importance of hunting is well illustrated by a contract of 1628 between Seaforth and the various proprietors of Skye and Uist for the preservation of deer on their estates. It is printed in Collectanea de Rebus Albanicis, ed. D. Gregory & W.F. Skene (Iona Club, 1847), 190-3.

stenting involved the distribution and probably the collection of the land taxes and other public duties such as teinds; ariage and carriage was the duty of transporting the victual rents and other goods of the landlord, and the persons of the proprietor and his officials as they went about his estates.

The tack of 1617 granted by Glenorchy of the lands of Killen in Lismore contained a similar list of services to be performed by the grantee, Duncan Stewart.¹ From Barra the tack granted by Neill MacNeil of Barra to Neill Uistach MacNeil in 1626 specified 'custom belonging to horses, houndis and halkis if any be' (i.e. hunting), attendance at MacNeil's courts and supporting him against all men, the king excepted.² From Skye there is no extant seventeenth century tack which gives precise details of services to be rendered, but there is strong evidence that terms of service very like those set out in the Lismore tacks were generally demanded by MacDonald of Sleat. A wadset of 1697 of Kingsburghmore in Trotternish, granted by Sleat to John Martin, tacksman of those lands, provided that the wadsetter was to perform the services of 'hosteing, hountteing, watcheing, wardeing and arieledge and cariage as the restt of the wassallis and gentlemen in the countrey does.'³ 'Wassallis and gentlemen' is a very general phrase which almost certainly embraced tacksmen as well as wadsetters of land. It is noted by Canon R.C. MacLeod that an extant tack of the lands of Gesto on MacLeod of Dunvegan's estate

1. Breadalbane Muniments, Tack to D. Stewart, 1 May 1617.
2. Gregory's Hist. Colls., Tack to Neill Uistach MacNeil, 30 May 1626.
3. Id MacDonald Papers, Wadset to John Martin, 23 Jan. 1697 (GD 221/7). N.B. Watching and warding were duties concerning the defence of the land from attack.

of Bracadale in Skye has no clause of service. This he attributes to the more peaceful atmosphere prevailing in the Isles by the time of the granting of this tack - 1674.¹ This may well have been a contributory factor, but it is also possible that services such as those outlined above were accepted as due from all tacksmen, and and for that reason were not incorporated in the clauses of the tack.

It is impossible to be certain of the position in some of the larger islands such as Lewis, the Uists and Mull, since no original tacks (as opposed to records of tacks found in sasines, accounts and some rentals) seem to have survived for these areas. But it seems likely from the evidence we have discussed above that throughout the Western Isles tacksmen had certain common functions, namely to act for the proprietor as his local administrator and intermediary, especially in military matters which had in the past been so important to the chiefs of the Western Isles and continued to concern them on occasion until the middle of the eighteenth century; but they also assisted in general matters of estate organisation and took part in prestigious leisure pursuits of the proprietors. It is significant that even in Lismore where tacks were on a more commercial footing than in most other parts of the Western Isles, military service was demanded at least in the earlier seventeenth century. Glenorchy did not feel sufficiently secure to dispense with this.

Who were the tacksmen? We have seen that they were men of great importance to the proprietors, and formed a middle class of

1. R.C. MacLeod, The Island Clans During Six Centuries (Inverness, 1930), 110-11; and MacLeod Papers, Tack to John MacLeod in Gesto, 20 Feb. 1674 (box 21a).

military leaders and local administrators. We have suggested that they were the successors of the gentleman servants so common in the households of the chiefs before 1616. Seventeenth century tacksmen about whom biographical details are known fall into two broad categories: men of local importance who were not related to the proprietor of the land, and kinsmen of the proprietor.

Among the first group was John MacKenzie alias Campbell in Strond in the island of Harris, who received in 1657 a tack of those lands from John MacLeod of Dunvegan; MacKenzie and his predecessors were stated in the tack to have already held Strond 'these many years bypast'.¹ Another such man was Coll MacGillespick, tacksman in the 1630s of the island of Colonsay.² Coll was an ex-rebel of the MacDonald of Islay family who had given himself up to the Earl of Argyll in 1615³ and had been rewarded with a feu of Oronsay. The granting of neighbouring Colonsay to him by tack seems to have been an astute move on the part of Argyll, for he had shown that he could be a formidable enemy. The importance attached by the proprietor to having a locally resident tacksman is evident from the conditions of the 1629 tack of lands in Balliveolan, Lismore, to Archibald MacGilleune. It was laid down that Archibald was 'to mak his actuall dwelling in the said xxs land'.⁴ It is likely that

1. MacLeod Papers, Tack to John MacKenzie, 5 July 1657 (box 21a).
2. Gen. Compts Argyll 1633-43, fo. 8r and fo. 98v.
3. Highland Papers, iii, ed. J.R.N. MacPhail (SHS, 1920), Denmylne MSS, Letter from Argyll to Ld Binning 13 Oct. 1615 (no. 137).
4. Breadalbane Muniments, Reg. of Tacks 1628-1717, fo. 20r.

some, at least, of this category of tacksmen, were the leaders of groups resident in a place before it came into the hands of the seventeenth century proprietor's family.

The second group, the tacksmen who were kinsmen of the proprietors of their lands, appears from the available evidence to have been much the larger of the two. Sometimes close relatives of proprietors became tacksmen as in Barra where Neill Uistach MacNeil, the grantee in a tack of 1626 of the lands of Scurrival and others, was the brother of the granter, Neil MacNeil of Barra.¹ But the clearest continuing evidence of this comes from Skye: in 1659 Lachlan MacKinnon of Strath set a tack of Torren to another Lachlan MacKinnon, his 'loving cusen';² in 1687 and 1688 MacKinnon of Strath granted tacks of lands to Angus and Hector MacKinnon respectively, sons of the granter's natural son, Donald MacKinnon in Robiston;³ and from the MacDonald estates there is a reference in a wadset of 1660 to a tack set by the deceased Sir Donald MacDonald of Sleat to his cousin, Donald MacDonald, of the lands of Arnishmore, Arnishbeg and others in Trotternish.⁴

For other islands, although the tacks are not so informative, the evidence of surnames in rentals and other sources is very suggestive. In the Islay rental of 1686, for example, the predominant name among single tenants of farms was Campbell, but hardly any of the joint

1. Gregory's Hist. Colls., Tack to Neill Uistach MacNeil, 30 May 1626.
2. Id MacDonald Papers, Tack to Lachlan MacKinnon, 28 May 1659.
3. Gregory's Hist. Colls., Extract Tacks to Angus & Hector MacKinnon (NLS MS 2134, pp. 36-7).
4. Id MacDonald Papers, Wadset to Alex. MacDonald, 7 Apr. 1660 (GD 221/5).

tenants of farms bore that name; the proprietor of Islay was Campbell of Calder.¹ In South Uist a judicial rental of 1721 shows that there were six single tenants of farms, all with the surname MacDonald; of the eighty-four joint tenants of townships there only ten had that surname, and in their case it may only have been a patronymic since many of the small tenants listed in this rental clearly had this type of name. The owner of these lands before their forfeiture in 1715 had been MacDonald of Clanranald.² It appears, then, that in these islands many of the tacksmen, unlike most of the small tenants, may have been fairly close relations of the proprietors (although in South Uist, where the MacDonalds of Clanranald had been the proprietors for a very long time, many of the tenants were doubtless distant relations of the family). The situation seems to have been similar in Mull on the estates of MacLean of Duart before they came into the hands of Argyll in the 1670s. Letters of Caption issued in 1675 against various men on the barony of Duart named seventeen tacksmen, eleven of whom had the surname MacLean.³

On the island lands of Campbell of Argyll members of cadet Campbell families were frequently made tacksmen: one of these was Sir Donald Campbell of Ardnamurchan who in 1633 held a tack of the island of Canna;⁴ another was Duncan Campbell, uncle of Colin Campbell of Lochnell, who had lands on tack in Jura in 1669.⁵ The reason why

1. Rental of Islay 1686, Book of Islay, 490-520.
2. Exchequer Recs., Rental of Clanranald's lands in S.Uist, 1721.
3. Highland Papers, i, 296-303, Letters of Caption to Argyll. v. John MacLean et al., 1675.
4. Gen. Compts Argyll 1633-43, fo. 8v; and Highland Papers, ii, ed. J.R.N. MacPhail (SHS, 1916), 'The Genealogie of the Campbells', 94.
5. SRO, Campbell of Jura Papers, Discharge to Duncan Campbell, 23 Feb. 1669 (GD 61/2/12) and Highland Papers, ii, 'Genealogie of the Campbells', 100.

Argyll set tacks of his island lands to more distant relations was, no doubt, that he owned what were considered more desirable properties on the mainland out of which he could provide for his immediate family. For proprietors whose lands were wholly or mainly in the islands, the granting of tacks on these lands was a useful means of providing for their close relatives without alienating the land permanently. We have already noted the importance of the kin-based group in Celtic society and in the clan system which developed out of it.¹ It may well be that tacks were seen by the clan chiefs of the Western Isles as an ideal way of supporting their close kin in the short term without depriving later chiefs of the means of providing for their own close family.

In return for the various services rendered by the tacksman to the landowner, he paid, proportionally to the extent of his holding, a considerably smaller rent than did the small direct tenants of the proprietor. Neill Uistach MacNeil, who paid only a nominal three shillings and fourpence for his tack of ten pennylands in Barra, was, however, exceptional although even he, like most other tacksmen of whom there are records, had to pay a substantial grassum (entry money) viz. 1,000 merks.² Examples of the rents paid by tacksmen are to be found in the rentals of the period, but these are usually difficult to compare with the rents paid by other tenants, since some rentals do not specify the denomination in pennylands etc. of each farm. The 1683 rental

1. D.A. Binchy, 'The Linguistic and Historical Value of the Irish Law Tracts', Procs. of the British Academy, xxix (1943), 222-3.
2. Gregory's Hist. Colls., Tack to Neill Uistach MacNeil, 30 May 1626.

of the MacLeod lands in Skye and the 1718 exchequer rental of Lewis, for instance, have this defect. Furthermore, as we have seen, pennylands, merklands etc. were not always alike in value. Some paid greater rents than others.

There is a clear example of the comparative rent paid by a tacksmen and some small tenants in the 1680 rental of Harris. Mr John Campbell held two pennylands in the island of Ensay and one and a half pennylands of Eye in south west Harris for a rent of 140 merks, 8 bolls each of meal and bear, 16 stones of butter and cheese, 6 wethers (sheep), and one mart (a cured carcass of beef). The eleven joint tenants of the other two pennylands of Ensay paid altogether 119¹/₂ merks, 4 bolls of meal, 32 bolls of bear, 16 stones of butter and cheese and 16 wethers. Assuming that the pennylands of Eye were worth something similar to the pennylands of Ensay, Campbell was paying for his holding at a rate of one some one half to two thirds of the rate at which the small tenants were paying for their holdings.¹

In Skye a rental of 1706 of the MacLeod estates shows that the eleven pennylands of Gesto and other lands paid 360 merks of money rent only, which is the amount laid down in the 1674 tack of those lands. Most of MacLeod's lands in Skye were paying a money rent of twenty to forty merks per pennyland, but many of them also paid a victual rent of one to three bolls per pennyland which Gesto, and probably other tacksmen were not required to pay.² In Mull, according to the

1. MacLeod Papers, Rental of Harris, 1680 (box 22).

2. MacLeod Papers, Rental of Skye 1706 (box 22a), and Tack of Gesto, 20 Feb. 1674 (box 21a).

rental of 1674, most pennylands paid between 50 and 100 merks of money rent. Charles MacLean, who had a tack of five pennylands in Duart, owed a rent of £266-13-4d (400 merks) for them, a sum which fell well within this range. But he did not pay the casualties in butter, cheese, wethers and victual demanded of the small tenants. Indeed, none of the single tenants who held two pennylands or more on Duart's estate had to pay any rent in kind.¹

The situation in Islay, however, was rather different. The 1686 rental shows that there were no such clear divisions between the rents paid by the small joint tenants and those paid by the single tenants. Most of the holdings were quarterlands or half quarterlands. The rents varied from holding to holding but for a quarterland the money rent was often around £133-6-8d. In the parish of Kildalton, Proaig, a half quarterland, was held by Charles MacArthur for £100 of money rent only. The half quarterland of Ardmenach was set to two tenants who paid the same money rent and in addition two wethers and a sheep, two quarts of butter, two geese, half a stirk (a young ^{or bull} cow) and some milture meal for the use of the laird's mill. These were not a large extra burden. Ardtalla, a quarterland, was held by one Archibald Campbell for £133-6-8d, but he also had to pay rent in kind amounting to almost double that paid by the tenants of Ardmenach, while the quarterland of Balneill, which was set to four tenants, paid only £120 of money rent and similar casualties to those paid by Archibald Campbell.²

1. Rental of Duart's Lands 1674, Highland Papers, i, 277-85.
2. Rental of Islay 1686, Bk of Islay, 490-1 and 495, and for land denominations, 521-2 and 524 (Rental of Islay 1722).

Similarly we find in rentals of Nether Lorne that the island of Torsay in 1666 had five tenants who paid among them twenty-six bolls of victual; in 1676, when it was in tack to two tenants, John Campbell elder and younger, the rent payable was exactly the same.¹

The greater rents being exacted from the tacksmen of these areas is another sign of the more commercial attitude of some proprietors of islands in the south west. The islands off the coast of Nether Lorne belonged to Lord Neill Campbell, second son of the first Marquis of Argyll,² while Campbell of Calder, who owned Islay was the head of yet another branch of this vast network of related families. By the later seventeenth century the combination of a feeling of greater security, the example of estate management on the mainland and their increasing need for money³ led them to press harder on the tacksmen for rent.

An additional feature of some tacks was tenure by steelbow, where the proprietor provided the grain, implements and often a sum of money for the incoming tenant who was in return expected to pay a higher rent. The author has found instances of this only in tacks from the islands of the south west. In 1640 or a little before, Lady Argyll granted a steelbow tack of Torsay to MacDougall of Ragray. The capital provided consisted of fifty-two bolls of seed oats, six bolls

1. Breadalbane Muniments, Rental of Luing, Seil and Nether Lorne, 1666 and 1676 (GD 112/9/22).
2. GRS, 2nd series, vii, fos. 182-6, regd 7 Mar. 1654.
3. See above, p. 90.

of seed bear, and 200 merks of money. The rent charged was thirty-two bolls of meal and sixteen bolls of bear,¹ which may be contrasted with the twenty-six bolls of victual charged in 1666 when there was no mention of steelbow.² In the 1686 rental of Islay one holding, Gorebolls in the parish of Kilarow, was set in steelbow, but as there is no other reference to steelbow in this rental, perhaps the practice was not widespread on this island. In Lismore steelbow may have been more common, for an entry at the foot of the 1629 tack of part of Balliveolan notes the steelbow goods on these lands as listed in 'the ante steilbow buikis'.³ Campbell of Glenorchy, then, had enough land held by steelbow tenure to justify the keeping of separate records of it. This type of tenure, although it imposed a heavy burden of rent on the tenant, had the advantage of enabling a young man with little capital to obtain a lease of land. Probably steelbow tenure went hand in hand with the short tack, for a man who was able to obtain only a short lease, did not have the same scope for building up capital as the man who had a long tack at an easy rent.

The tacksmen made their living from the difference between what they paid to the landlord and what they obtained in income either from farming the land with the labour of their own servants, or from the rent paid to them by subtenants. That it was the usual arrangement for the tacksmen to sublet at least a part of his holding is shown

1. Gen. Compts Argyll 1633-43, fo. 173v.

2. See above, p. 100.

3. Breadalbane Muniments, Reg. of Tacks 1628-1717, fo. 20r.

by the terms of most extant seventeenth century tacks; these usually gave the grantee power to 'remove and output tennantes furth therof and input tennantes therin at ther pleasure'.¹ There is little evidence about the payments made by sub-tenants to tacksmen, but it is reasonable to assume that they paid rents comparable with those paid by the smaller direct tenants of the proprietors, otherwise there would have been a very unstable situation among tenants.

In Orkney and Shetland it has been shown that the pattern of landowning was very different from the pattern in the Western Isles. Besides the proprietors of the crown and bishopric lands there were no very large landowners but many lesser ones, and even at the end of the seventeenth century a considerable number of very small landowners indeed. We should expect, therefore, to find differences also in the pattern of land tenure.

The crown and the bishopric lands were from time to time set in tack as complete units. The crown lands were in the hands of the king from the forfeiture of Earl Patrick Stewart in 1611 until 1643 when the Earl of Morton obtained a wadset of them, and again from 1669, when the wadset was redeemed, until the beginning of the eighteenth century. During these two periods the crown lands were set in tack as a unit, together with the other crown revenues, generally on short leases of three to eight years. In 1627, for instance, a five-year tack was granted to Sir Archibald Napier of Merchiston, treasurer

1. Id MacDonald Papers, Tack to L. MacKinnon of Torren 28 May 1659.

depute of Scotland,¹ and in 1686 a tack of similar length was set to William Craigie of Gairsay, an important Orkney landowner.²

The bishopric lands, even during the periods of episcopacy, were sometimes set in tack as a whole: in 1669 and again in 1672 the bishopric lands and revenues were set in tack for three years by Andrew Honeyman, Bishop of Orkney, to a local landowner, Harry Graham of Breckness.³ During the interregnum, when the city of Edinburgh had a gift of the bishopric lands and revenues, the provost and bailies in 1648 granted a seven-year tack to an Edinburgh merchant, James Butter;⁴ and after the abolition of episcopacy in 1690 the crown and bishopric lands were set in tack together. From 1693 to 1695 they were held by Sir Alexander Brand, a merchant who had been supplying arms to the government,⁵ and in 1696 they were set for three years to Mr Robert Douglas, brother of the Earl of Morton.⁶

These tacksmen were very different from the tacksmen of the Western Isles. Firstly, their holdings were much larger and much

1. Kinross House Papers, Copy Tack to Sir A. Napier, 19 May 1627 (GD 29/158).
2. Scarth of Breckness, Contract betw. Wm Craigie of Gairsay and Henry Graham of Breckness, 12 Aug. 1686 (GD 217/1026).
3. Ibid., Tacks to Harry Graham of Breckness, 17 July 1669 and 20 Feb. 1672 (GD 217/1021 and 1024).
4. Ibid., Extract Tack to James Butter, 23 and 24 Feb. 1648 (GD 217/1018).
5. Morton Papers, Petition of Sir Alex. Brand 1707 (GD 150/2021/1693-5).
6. Ibid., Tacks to Mr Robt Douglas, 13 Oct. and 18 Dec. 1696 (GD 150/2010).

more scattered, comprising, as they did, the whole of the crown or bishopric lands, by far the two largest estates in the Northern Isles. Secondly, few, if any of them, resided on the crown or bishopric lands, and many, as can be seen from the examples already cited, were not even resident in Orkney. They were not required by their tacks to perform elaborate military and other services for the proprietors, but were primarily revenue collectors. Their tacks always required money payments only, usually around £30,000 for the crown revenues, and about £6,000 for the revenues of the bishopric. The crown and the church both needed money income far more than any personal services the tacksmen might render. Nothing could be a clearer illustration of the anxiety of the crown to obtain the highest possible rent for its estates in Orkney and Shetland and its total disregard for the long term effects of this than the circumstances in which Sir Alexander Brand obtained his tack in 1693. In this year the government owed him £1,500 sterling for arms which he had supplied. As a means of recouping himself he made an offer to the Treasury for the tack of Orkney and Shetland for three years on the same terms as the previous tacksmen had held them, but including also the cancellation of the government's debt to Brand. But the previous tacksmen, Robert Elphinstone of Lopness, made a higher offer, forcing Brand to outbid him in order to obtain the tack. Consequently, when famine ensued, and the French, with whom Britain was at war, raided the islands, he made enormous losses.¹

Besides these tacksmen there were others in Orkney and Shetland

1. Morton Papers, Petition of Sir Alex. Brand, 1707.

who bore a somewhat closer resemblance to the tacksmen of the Western Isles. These were men who held written tacks of lands similar in extent to those held by tacksmen in the Western Isles i.e. tacks of most or all of one or more farming townships. In the Northern Isles it can be proved that tacks of this kind were common even before the seventeenth century. In 1588 Robert Stewart, Earl of Orkney, granted a nineteen year tack of the eight pennylands of Gorn in the parish of Sandwick in Orkney to his servitor, John Gifford,¹ and several other instances are to be found in the Records of the Earldom of Orkney.² Sixteenth century Shetland tacks include one from Laurence Bruce of Cultmalindie to William Bruce of Symbister; it is dated 1585 and it granted thirty-two merklands in Symbister, Whalsay, to the latter for life.³

Seventeenth century examples of such tacks abound. In Orkney in 1626 John Henderson of How set in tack to James Tulloch of Roithisholm the six pennylands of Weyland in the parish of St. Ola;⁴ in 1687 James Fea of Clestrain took a tack of the six pennylands of Holland and three other townships (fourteen and half pennylands in all) in the island of Sanday from Nicol Moncrieff of Swannay.⁵ Instances from Shetland include a tack of the islands of South Havra

1. O & S Papers, Copy Tack to John Gifford, 31 Mar. 1588 (RH 9/15/53).
2. Recs. Earldom Orkney, nos. 131, 153 and 177.
3. Bruce of Symbister, Tack to Wm Bruce of Symbister, 19 Oct. 1585 (GD 144/box 11).
4. SRO, Craven Bequest, Tack to John Tulloch of Roithisholm, 6 Oct. 1626 (GD 106/87).
5. SRO, Fea of Clestrain Coll., Tack to James Fea of Clestrain, 11 Nov. 1687 (GD 31/136).

and Little Havra off the south west coast of the Shetland mainland, which was granted in 1628 by the widow of Adam Sinclair of Brough to John Stewart, son of James Stewart of Grapesay in Orkney;¹ and in 1639 a tack of the lands of Gunnista in Bressay was set by Andrew Bruce of Muness to John Neven of Luning.²

As we have already seen, however, the pattern of landownership in Orkney and Shetland was much more complex and much less tidy than in the Western Isles. A farming township was frequently divided among several proprietors. The effect of this on land tenure was that very frequently even the larger tacksmen held only part of a township. In 1628 George Graham, Bishop of Orkney, set a tack to his son-in-law, Patrick Smith of Braco, of various lands in the parish of Holm: these were $2\frac{1}{4}$ d land in Aikerbuster (a $4\frac{1}{2}$ d land), $2\frac{1}{2}$ d land in Vallay (also a $4\frac{1}{2}$ d land), and the half pennyland of Skailtoft.³ We know that at this time Braco was buying many properties in Holm,⁴ but a valuation of Holm of 1643 shows that, even then, there were parts of Aikerbuster and Vallay which were owned by others besides himself and the bishop: Peter Allen, for example owned $2\frac{1}{2}$ farthing-lands in Vallay, and he and three others owned small portions of Aikerbuster.⁵ It is extremely unlikely that Braco was able to rent all of these. Similar cases can be found in Shetland. In 1653

1. Bruce of Symbister, Tack to John Stewart, 8 July 1628 (GD 144/box 8).
2. Ibid., Tack to John Neven of Luning, 30 Mar. 1639 (GD 144/box 6).
3. Craven Bequest, Tack to Patrick Smith of Braco, 2 Jan. 1628 (GD 106/1/17).
4. See above, p. 60.
5. O & S Papers, Valuation of Holm, 1643 (RH 9/15/172).

eighty-nine merklands belonging to the crown in the parishes of Aithsting and Sandsting were set in tack to Patrick Umphray of Sand, who owned many lands in this area.¹ But it is known from the Registers of Sasines that Umphray did not own all the other lands in some of the townships where he rented land from the crown: in Tresta, for instance, where three and a half merklands had been set to Umphray, sasines of the 1660s show that at least two other men, Adam White and Jerome Jeromeson, owned land.²

The structure of land ownership and renting in Orkney and Shetland was partially simplified in 1664 and 1665 when Alexander Douglas of Spynie feued out large portions of the crown lands. A copy of his instructions to Thomas Leslie and James Kinnaird, his deputies in Shetland, for feuing these lands and others there has survived, and there is no reason to doubt that similar rules were applied to the lands feued by Spynie in Orkney. The instructions stated that crown land was to be offered first to the sitting tacksman or tenant; only if he refused the proposed terms was the land to be offered to others.³ Thus John Sinclair of Quendale became feuar of more than 100 merklands of which he had been the tacksman in the parish of Dunrossness; these lands included fourteen merklands in Scatness where he already owned ten and a half merks of

1. Morton Papers, Untitled Account Bk, fo. 8v, Note of Tacks set in Aithsting and Sandsting, Oct. 1653 (GD 150/2015/1651).
2. PRS O & S, Shetland, iv, fos. 187-8, and 330-1.
3. Gardie Papers, Copy Spynie's Instructions on Feuing the King's Tacks & Udal Lands in Shetland, 21 June 1664 (Vetro-Lateral file).

udal land, and twenty and a quarter merklands in Lie where he owned forty-one merks of udal land.¹ Similarly, Hynd Leask, a merchant in Lie in the island of Whalsay, became the proprietor of fourteen and a half merklands there of which he had formerly been tacksmen, while at almost the same time he bought another half merk of land nearby from a local man, William Simpson.²

This second group of tacksmen in the Northern Isles, although they resembled the tacksmen of the Western Isles in the extent of their holdings, differed from them in certain other respects. One was, as we have seen, that their holdings were frequently much less compact. Another difference, to which we have made only oblique reference, was that in the Northern Isles tacksmen were very often also proprietors of land. In Orkney Patrick Smith of Braco, and in Shetland John Sinclair of Quendale, both of whom have been mentioned as tacksmen of lands, were also substantial proprietors by the standards of the Northern Isles.³ Men like Edward Sinclair, fiar of the six pennylands of Clumlie in Sandwick, Orkney, who obtained a tack of the lands of Garth in Stromness in 1621,⁴ or John Stewart of Bigton, the owner of some forty merklands in the parish of Dunrossness, Shetland, who was granted a tack of ten merks of crown land

1. PRS O & S, Shetland, iv, fos. 108-114, regd 26 July 1664.

2. Ibid., fos. 212 and 285-6, regd 22 Nov. 1664 and 4 Apr. 1665.

3. See above, pp. 39, 60 & 106.

4. PRS O & S, 1st series, ii, fos. 90-93, regd 3 May 1623.

in 1653,¹ were proprietors on a smaller scale. The reasons why so many of the tacksmen in the Northern Isles were also proprietors of land are to be found in the pattern of landowning there. There were far greater numbers of medium and small proprietors in the Northern than in the Western Isles. It was very easy for anyone with a moderate or even a large sum of money to buy land, but it was, at the same time, very difficult to buy all the land in a particular area. Frequently, however, there was crown or bishopric land available for renting, and the king or his principal tacksmen in particular usually had few, if any, close relatives there who might be rewarded with a tack. In these circumstances it must have seemed sensible to let lands to other proprietors of moderate substance who would be the men most likely to be able to pay their rent promptly, while, on the other hand, it often suited such proprietors to rent land, especially if it were contiguous to land which they owned. It should be noted, however, that the proprietor who was also a tacksmen was not unknown in the Western Isles; the Earl of Argyll, for instance, set tacks to several proprietors, among them the tack of Canna to Sir Donald Campbell of Ardnamurchan.² But these men were often, like Sir Donald, relatives of the granter of the tack; moreover, the practice was virtually unknown in Skye and the Outer Hebrides.

Another major difference between the tacksmen of the Western

1. PRS O & S, Shetland, iv, fos. 134-6, regd 27 Sept. 1664, and Morton Papers, Untitled Acc. Bk, fo. 5r, Note of Tacks Set in Dunrossness, 1653.

2. Gen. Compts Argyll 1633-43, fo. 8v.

Isles, and those of Orkney and Shetland lay in the scope and extent of the services which they were expected to perform. Instead of the elaborate terms of service, military, administrative and social, demanded specifically in many of the written tacks of lands in the Western Isles, Orkney and Shetland tacks generally accorded services a very minor place. Often the only reference to services to be found in a tack occurs after the list of rent payments in the phrase with due service used and wont. This is the case in, for example, a tack of the lands of Nibuster in the island of Sanday, Orkney, granted in 1665 by John Buchanan of Sandside to Robert Swannie in Nibuster;¹ and the same phrase is used in a memorandum of a tack of twelve merklands in the island of Fetlar in Shetland, granted in 1622 by John Buchannan of Scottiscraig to Patrick Peterson, occupier of the lands.²

Where tacks are more specific, almost invariably the only service named is that of flitting and fuiring, a Norse term with a similar meaning to the Scots term, arriage and carriage, i.e. the obligation of a tenant to provide the landowner with transport on certain occasions. This service is named, for instance, in a tack of 1657 of the lands of Brough in Sanday, set by Col. John Stewart of Newark to Henry Sclater in Brough.³ The service of flitting and fuiring seems to have had customary limitations, for in a late seventeenth century list of complaints against the crown's administrators in Orkney the parish bailies (the most important local officials)

1. Fea of Clestrain, Tack to Robt Swannie, 18 Apr. 1665 (GD 31/82).
2. O & S Papers, Memo. Tack to Patrick Peterson, 10 Oct. 1622 (RH 9/15/81).
3. Fea of Clestrain, Tack to Henry Sclater, 25 Mar. 1657 (GD 31/74).

were said to be taking more service from the tenants than was due, including carriage in the bailie's private affairs, 'the peopill onlie being bound to serve the superior or his takismen or chalmerlane quhen thaie cum to hold circuit courtis or acompt with the tenantis or to load vassall with the superioris deutes'.¹

Other services, if any, were probably agricultural rather than administrative or military as in the Western Isles. The only tack examined by the author, which named specific additional services, listed the spinning of eighteen merks of yarn and the carriage of two boatloads of peats (for fuel) from the island of Eday to the neighbouring island of Sanday in Orkney, where there were no peats.² There is no evidence that the larger tenants in the Northern Isles were performing the functions of military officer and local administrator, as were the tacksmen of the Western Isles. For this difference there were several reasons.

Firstly, apart from the shortlived rebellion led by Earl Patrick's bastard son, Robert, there had been no recent tradition of internal fighting in the Northern Isles. Military experiences were generally confined to defending the islands from the relatively infrequent incursions of pirates and other (usually foreign) invaders, as is clearly shown by the Country Acts (regulations made by the local courts on local matters) of both Orkney and Shetland as laid down in 1615: the second regulation provided that all men according to their

1. Craven Bequest, List of Complaints v. the Civil Administration of Orkney c. 1677 (GD 106/1/3).
2. Morton Papers, Tack by Wm Groat in Tofts to Edward Goir, of How in Sanday, Orkney, 8 Jan. 1685 (GD 150/2010).

rank and degree had to equip themselves with armour in order to be ready to serve the crown in 'suppressing and withstanding the incursions of pirotis and utheris tumultuous persones'.¹ Unlike the Western Isles, where the main proprietors were also chiefs with a clan of loyal followers, had in general compact estates, and were men of not grossly unequal power, Orkney and Shetland had two great semi-public estates, and a host of medium and small private ones, and in most cases the lands of one proprietor were intermingled with the lands of other proprietors, great and small. The church and crown did not wish to engage in in-fighting, while other proprietors would have been hard put to do so.

The scattered and variegated nature of estates in the Northern Isles made it impossible as a general rule to organise local administration on the basis of the individual proprietor's lands. Many of the duties, performed in the Western Isles by the tacksmen as a condition of their leases, were in Orkney and Shetland performed on the basis of the parish by the parish bailie and his deputies. The parish bailie was a public official,² appointed by the crown or the bishop of Orkney according to which of them was a landowner in the parish. The bailie, who was usually the most prominent local landowner in the parish, had responsibility for organising the local military forces, collecting the crown or bishopric rents and revenues,

1. The Court Books of Orkney and Shetland 1614-1615, ed. R.S. Barclay (SHS, 1967), 26 and 63.
2. In the Western Isles the bailie was the chief legal official of a barony.

and letting the crown or bishopric lands, besides his duty of presiding over the local bailie court.¹

In Orkney and Shetland the tacksmen were primarily rent-paying tenants. This situation is particularly clear for Shetland, where rent payments were highly standardised. Thomas Gifford in his Historical Description of the Zetland Isles in the year 1733 explained the position very succinctly, and he is corroborated by all the available evidence: the land rent payable to the heritors was delivered in butter and wadmel, or, in the later seventeenth century, in butter and money; these payments were calculated by the merkland and adjusted according to the rating of the merkland in pennies per merk. If the land were very poor, some of the rent might be remitted.² In general, however, it is clear that rent was calculated according to the denomination of the land and not according to the type of tenant. The tack of Gunnista in Bressay, set by Andrew Bruce of Muness to John Neven of Luning confirms this, for the rent was stated to be the yearly landmails and duties, butter, wadmel and grassums (entry money) of the lands;³ and in the tack of Gardie in Fetlar granted by Sir John Buchannan to Patrick Peterson the yearly payments were to be 'conforme to the rental with sex pultrie, ane reik hen and dew service usit and wont'.⁴

1. E.g. Bruce of Symbister, Commission of Bailiary to Ola Manson of Islesburgh, 24 Sept. 1629 (GD 144/box 11) and James Begg, 'The Bailie Courts of Orkney', Proceedings of the Orkney Antiquarian Society [FOAS], ii (1924), 69-76; iii (1925), 55-64; and iv (1926), 37-43.
2. Gifford, Hist. Description, 58, also see above, p.35.
3. Bruce of Symbister, Tack to J. Neven, 30 Mar. 1639 (GD 144/box 6).
4. O & S Papers, Memo. Tack to P. Peterson, 10 Oct. 1622 (RH 9/15/81).

In Orkney the position is not quite so clear since no fixed rent was attached to any of the land denominations in use there. But some clues can be found. In 1627 the widow of Mr Andrew Dishington, late minister of the island of Hoy, set in tack her six pennylands Benorth the Burn there to Hugh Halcro of that ilk; the latter agreed to pay her one meil of malt more than the tenants of the land paid to him each year, provided that the granter gave no tacks of the lands which she held in liferent without Halcro's consent.¹ Another tack, of the three pennylands of Sands in the island of Shapinsay, which had previously been occupied and laboured by two tenants, was granted in 1687 by the Bishop of Orkney to John Heddle in Massetter for exactly the same rent as it had paid when set to two tenants according to the rental of c. 1660 to 1675, except that payments in kind were in the tack converted to payments in money.²

This highly commercial attitude displayed in the granting of tacks to the larger tenants was also shown in the lengths of the tacks. The author has seen no large tacks set for the life of the grantee (although there were a number of small liferent tacks often granted by the purchaser of a piece of land to the vendor as a condition of the sale). Nineteen years was the greatest of the normal lengths of seventeenth century tacks, and even then there were sometimes special circumstances as in the case of the nineteen-year tack of various lands in Holm granted by the Bishop of Orkney to Patrick Smith of Braco in 1628, for later in the same year the Bishop granted

1. Craven Bequest, Tack to Hugh Halcro, 3 July 1627 (GD 106/163).

2. Ibid., Tack to John Heddle, 4 May 1687 (GD 106/212) and GD 1/303/12, pp. 78-79.

Braco a feu charter of these lands.¹ From Shetland the longest large seventeenth century tack seen by the author is the 1639 tack of the thirty-three merklands of Gunnista in Bressay which was to be for fifteen years.²

The vast majority of tacks were granted for periods of less than ten years, the most common term being three years, an extremely short length of lease which gave the tenant no incentive to do other than extract the most he could from the land for the brief period for which he had security of tenure. The three-year tack appears to have been the standard type set by both the crown and the Earl of Morton when he held the crown lands. This was stated by Thomas Gifford to be the case in Shetland, where the incoming tenant paid a grassum of 24/- per merkland, later converted to an annual payment of 8/- per merkland;³ and for Orkney there survives a list of tacks of lands in Birsay set by the Laird of Benholme on behalf of the Earl of Morton in 1651: each of the sixteen tacks was to run for three years.⁴

In respect of their length tacks of lands in Orkney and Shetland had much in common with the tacks being set in some at least of the islands of the south west of Scotland, where, we have suggested, there was developing a much more commercial attitude to the setting of tacks than in Skye and the Outer Hebrides.⁵ There is a further

1. See above, p. 106, and SRO, Protocol Bk David Heart, fo. 188, no. 369.

2. Bruce of Symbister, Tack to J. Neven, 30 Mar. 1639.

3. Gifford, Historical Description, 55.

4. Morton Papers, Compt of Tacks set by Benholme, 1651 (GD 150/2010).

5. See above, pp. 88-90.

point of similarity between some of the south western islands and at least two of the islands in Orkney, namely, Sanday and Stronsay to the north of the Orkney mainland. This was steelbow tenure, a feature of many of the extant tacks of lands in these islands. The steelbow goods were usually fairly comprehensive. In the case of Edward Goir, who received a three-year tack of the eight penny-lands of How in Sanday, they included horses, cows, grain for seed and the payment of servants, and all the necessary labouring implements.¹ But Robert Swannie, who obtained a tack of Nibuster, there, received only three steelbow cows.² This suggests that the steelbow goods may sometimes have been tailored to fit the capital requirements of the tenant. The rents demanded appear to have been very high. For instance, John Peatrie in Strynie obtained a tack of the Bow of Roithisholm from David Ogilvy, Keeper of the Particular Register of Sasines for Orkney and Shetland, in 1686; he received twenty-eight meils of oats, sixty meils of bear for seed and the payment of servants, as well as cows, oxen, horses, geese, peats and farming implements; his rent was twenty meils of oatmeal and twenty meils of malt to Ogilvy, and in addition sixty-seven meils of bear and two barrels of butter to Ogilvy's superior.³ According to Hugh Marwick, whose information came from the statements of several witnesses in an early eighteenth century lawsuit, the returns on seed sown on lands

1. Morton Papers, Tack to Ed. Goir, 8 Jan. 1685 (GD 150/2010).

2. Fea of Clestrain, Tack to R. Swannie, 18 Apr. 1665 (GD 31/82).

3. Scarth of Breckness, Tack to J. Peatrie, 3 July 1686 (GD 217/872).

in the neighbouring island of Sanday were four or five to one in the case of bear and three to one for oats.¹ After paying his rent and setting aside his seed corn, Peatrie was unlikely to have had much grain for himself.

In many respects, then, the larger tacks being granted in the Northern Isles in the seventeenth century had much more in common with some of the tacks being granted by proprietors like Argyll and Glenorchy in some of the southern islands of the Hebrides than with the type of tack common in Skye and the Outer Hebrides, which were usually granted for a much longer term, and on much less stringent conditions of payment. But the comparison should not be carried too far. Even on Argyll and Glenorchy's island estates the tacksman was usually expected to undertake military service if required, and generally to be loyal followers of the proprietor. The concepts of the tacksman as military officer and loyal vassal were not to be found in the tacks of the Northern Isles.

To turn now to the small tenants in the Western Isles, in all islands where sufficiently detailed data is available for the late seventeenth or early eighteenth centuries, it is found that some of the farming townships were rented directly from the proprietors by groups of tenants termed by later historians joint tenants. These ranged in number from two or three tenants in one township to twenty or occasionally even more; and the number varied partly with the extent of the farm, and partly with the sizes of the tenants' holdings which were not always equal even in the same township.

1. Hugh Marwick, Merchant Lairds of Long Ago, ii (Kirkwall, 1939), 11.

On the two pennylands of Middletown in the island of Pabbay west of Harris in 1684 there were three tenants each with a third share, while on the two pennylands of Lingay in the same island there were eight tenants with shares ranging from one eighth to three eighths of a pennyland.¹ In 1683, according to the rental of the MacLeod estates in Skye, the pennyland of Merkadale in Minginish had two tenants paying equal rents, but the two pennylands of Duart in Duirinish had ten tenants, some of whom paid more than six times as much money rent as others.² Further south, the rentals of Mull of 1674 and 1679 do not state the numbers of joint tenants on each farm, but in Islay in 1686 there were, for example, two tenants on the half quarterland of Baile Neactain Beag in the parish of Kildalton, six tenants on the quarterland of Killeyan in the same parish, and as many as ten on the one and a half quarterlands of Kepolls in Kilmeny even though a small part of this land was waste.³

In the small isles close to the coast of Argyll the number of joint tenants of townships according to the extant rentals did not go above eight, which there were, for example, on the four merklands of Oban in Seil in 1666; but three to six tenants were more usual.⁴ In some of the Outer Hebrides, however, there were exceptionally

1. MacLeod Papers, Rental of Harris 1684 (box 22).
2. Ibid., Rentals of Skye 1683, and, for land denominations, 1706 (box 22a).
3. Rental of Islay 1686, Bk of Islay, 494/7 and 518, and for land denominations where not given there, pp. 524 and 536 (Rental of Islay 1722).
4. Breadalbane Muniments, Set of Luing, Seil and Nether Lorne 1666 (GD 112/9/22).

large numbers of tenants in some townships. In Lewis in 1718 there were twenty small tenants in Nether Barvas, twenty-one in North Galson and thirty-nine in Shawbost.¹ In North Uist in the same year fifteen tenants shared the five pennylands of Ballivicphaill,² and in South Uist in 1721 sixteen tenants shared four and a half pennylands in Nether Bornish.³ In North and South Uist the land denominations suggest that the farms were of greater extent than those listed in Skye and Harris where penny, twopenny and threepenny lands were the usual denominations held by groups of joint tenants. The same may well have been true in some of the farms in Lewis where the land denominations were not stated in the rental of 1718, but the rent payable by the tenants of Shawbost, Nether Barvas and North Galson were not exceptionally low compared with the rent payable by the joint tenants of other farms.

In return for their holdings the joint tenants of the Hebrides paid varying rents. In Harris in the late seventeenth century a quarter or three eighths of a pennyland was a typical denomination for the holding of a joint tenant (although it could be an eighth of a pennyland or even less). The rent varied somewhat from township to township but the amount paid for a quarter of a pennyland in Kirk-town in Pabbay is fairly representative: there was a money rent of £5, together with half a boll of meal, one and a half bolls of bear, one

1. Exchequer Recs., Forfeited Estates (1715), Seaforth, Rental of Lewis 1718.
2. Ibid., MacDonald of Sleat, Rental of N. Uist 1718.
3. Ibid., MacDonald of Moidart, Rental of part of S. Uist 1721.

stone of butter and cheese, and one wether.¹

It is impossible to tell precisely what rents were paid by small tenants in Skye at this period since the only detailed rental extant gives only the money duties payable; for joint tenants these were commonly from £6 to £10,² or a little higher than was usual in Harris, but Martin in his Description of the Western Islands of Scotland c. 1695 stated that he had known a hundred families, each consisting of four to five persons at least, maintained on little farms for which they paid not more than five shillings sterling (£3 Scots), a sheep and some pecks of horse corn.³ This is very similar to the rents paid in Harris for the very small holding of one eighth of a pennyland.

In Lewis and the Uists where rentals are available for the period 1718 to 1721 the payments due from joint tenants bear remarkable similarities to the payments due from the joint tenants of Harris and Skye. Most of the holdings in South Uist were between three and five eighths of a pennyland; a quarter of a pennyland in Boisdale, for instance, carried a rent of £6-11-8d, $3\frac{3}{4}$ firlots each of meal and bear, two stones each of butter and cheese and one wether.⁴ In North Uist in the township of Ballivicphaill an unspecified denomination of holding, probably a quarter of a pennyland,

1. MacLeod Papers Rental of Harris 1680 (box 22).
2. Ibid., Rental of MacLeod's Lands in Skye 1683 (box 22a).
3. M. Martin, Description of the Western Islands of Scotland c. 1695 (Stirling, 1934), 350-1.
4. Exchequer Recs., Rental of part of S. Uist 1721. N.B. $\frac{1}{4}$ firlots = 1 boll.

owed a rent of £6-13-4d, two firloths of victual and one stone of butter.¹ In Lewis in the township of Shawbost, fifteen of the thirty-nine tenants paid for their holdings £7 in money, 1 $\frac{3}{4}$ bolls of meal, three eighths of a sheep, and 7lb. 8oz. of butter and cheese.²

We cannot be so precise about the rents paid by small tenants in Mull, for they are not individually listed in the available seventeenth century rentals; but the money rents charged to joint tenants of a pennyland averaged about £50, and there was also rent in kind, often called casualties or presents, exacted at a standard rate per pennyland viz. four stones of victual, four quarts of butter, four stones of cheese, and four wethers.³ The commodities in which rents were paid were, therefore, similar in Mull to those paid in the other islands discussed above. In Islay, too, the rent structure for joint tenants was not unlike those in the other islands we have mentioned. Joint tenants commonly held lands of one kerrowran to one lewirheis in extent (one eighth and one quarter of a quarter-land respectively). In the rental of 1686 the rents of holdings of joint tenants were not generally individually listed, but in Kinglas and Grobolls in the district of Kilarow they are. There the rent for one kerrowran was £10-10/-, one wether and one eighth of a stirk (young cow). Most other holdings in Islay also paid some butter and cheese, but none paid any grain except a small amount in

1. Ibid., Rental of N. Uist 1718.

2. Ibid., Rental of Lewis 1718.

3. Rental of Mull, 1674, Highland Papers, i, 277-85.

multure (mill dues).¹

But in some of the islands of the south west Hebrides the rent structure was rather different. In Luing the holdings of joint tenants were usually half to one merkland according to the rentals of the later seventeenth century. In 1666 one merkland in Ardinamar paid three holls of meal and one boll of bear, and all the other townships in that island paid rent in grain only apart from small presents of one wether, two hens and two dozen eggs per merkland.² In Auchnacroish in the island of Lismore, each tenant of one merkland in 1691 owed a rent of three bolls of meal and the same of bear,³ and we know from the long record of rentals of Glenorchy's lands in Lismore in the seventeenth century that the rents there were mainly payable in grain although these rentals do not record the extent of each small tenant's holding.⁴ The suitability of these low-lying islands for grain growing seems to be the most likely explanation for their different rent structure.

In addition to the regular rents and presents, herezelds (the best beast - usually a horse - of a deceased tenant, payable to the landlord) were a standard exaction. According to Martin's description of the Western Isles at the close of the seventeenth

1. Rental of Islay 1686, Bk of Islay, 508.
2. Breadalbane Muniments, Rental of Luing, Seil and Nether Lorne 1666 (GD 112/9/22).
3. Campbell of Barcaldine, Rental of Barcaldine's Lands in Benderloch and Lismore 1691 (GD 170/223).
4. Breadalbane Muniments, Rentals of various lands, 1611-1700 (GD 112/9/3, 12, 15, 18, 21, 23-4, 26 and 33).

century 'it is common in these islands, when a tenant dies, for the master to have his choice of all the horses which belonged to the deceased'.¹ Much evidence can be found to support this statement: the testamentary inventory of John Bane McOlworry, a tenant in the island of Ulva who died in 1699, listed £6-13-4d 'for ane herzald' among the debts owing from his estate;² a grant of lands in liferent made by Alexander MacLeod of Raasay to his wife, Florence, in 1692 included in the pertinents each herezeld horse due on the death of a tenant or possessor;³ and on MacLeod of Dunvegan's estates in Skye and Harris, herezelds were still being exacted up to 1724.⁴

The feudal casualty of herezelds appears to have been the exact equivalent of the Celtic duty called calps previously levied in the Highlands and Western Isles. The levying of calps was forbidden by an act of parliament of 1617 on the grounds that it was one of the arbitrary exactions of the chiefs which were oppressing their tenants.⁵ But at least one chief, Sir Rory MacLeod of Dunvegan, complained to the king that the duty was an agreed part of the tenants' rents;⁶ and the term calps was still in use as late as 1697, the date of a list of calps levied on lands including Lismore on the Breadalbane estate.⁷ It appears that after 1617

1. Martin, Description, 175.
2. SRO, Commissariat of the Isles, Records of Inventories [Isles Invs.], Inv. of John Bane McOlworry in Ulva, conf. 22 June 1709 (CC 12/5/1).
3. PRS Invss, 2nd series, v, fos. 585-6.
4. MacLeod Papers, Depositions on Herezelds taken up by Contullich, 1724 (box 22a).
5. APS, iv, 548.
6. RPC, 1st series, xiii, 744-5.
7. Breadalbane Muniments, List of Calps given up by McIlpedir, officer, due 4 Aug. 1697 (GD 112/17/1).

proprieters merely substituted herezelds, a legal feudal obligation, for the illegal calps.

There are no instances in the Western Isles in the seventeenth century of tacks being granted to joint tenants. It is, therefore, difficult to ascertain what services were demanded of them. But it is almost certain that they owed arriage and carriage as did the tacksmen, for it was stated in a tack of 1728 of Kingsburghmore on the MacDonald estates in Skye that arriage and carriage were rendered by both the tacksmen and the tenants of Trotternish.¹

In some parts of the Western Isles loads of peats were demanded as one of the casualties, and this would imply carriage of the peats. In Luing, for example, according to a rental of 1671, fifteen loads of peats were to be delivered from each merkland,² but it is doubtful whether these were usually rendered, for in a letter of 1692 addressed to the Earl of Breadalbane probably from his factor in Nether Lorne it was stated that the late Lord Neill Campbell had made a rental converting into money 'the least peat and hen ege that ever he charged on the land, the half wherof wer never payd in kynd, lett bees to be turned to money'.³ As to agricultural services such as may have been rendered by small subtenants and cottars the records are silent.

Because small tenants had no written leases, it seems likely

1. Extract tack to Donald MacDonald of Kinsburgh, quoted in L. MacDonald of Skeabost, 'Gleanings from Lord MacDonald's Charter Chest', Transactions of the Gaelic Society of Inverness [TGSI], xiv, (Invss, 1889), 66-67. The original is now missing.
2. Breadalbane Muniments, Set of Id Neill Campbell's Lands 1671 (GD 112/9/22).
3. Ibid., Letter to Breadalbane, 15 Aug. 1692 (GD 112/9/1/3).

that most of them held their lands for only one year at a stretch. This was the case on the MacLeod lands of Gesto in Bracadale, Skye, which were granted in tack to John MacLeod there in 1674; the grantee was given the authority to install and remove tenants and to use legal warnings to that end 'yerly and each yere during his life as neid doeth require against his subtenents and uthares...as the said Jon McLeod of Herreis nicht have done himself befor the making or granting of this his letter of tack'.¹ From this it is clear that subtenants were in a similar position. But some small tenants or others without written tacks may have had longer agreements than this, for according to Martin 'when a proprietor gives a farm to his tenant, whether for one or more years, it is customary to give the tenant a stick of wood and some straw in his hand, this is immediately returned by the tenant again to the master, then both parties are as much obliged to perform their respective conditions as if they had signed a lease or any other deed'.² Even if, however, tenure were usually from year to year, it did not necessarily mean that the tenant was, in practice, very insecure. It would be difficult to reconcile great insecurity of tenure with the benevolent regard which it is known that some of the chiefs had for their tenants. Martin related that the islanders of Skye had great respect for their chiefs and prayed for their welfare after every meal. He also informs us that MacNeil of Barra took into his own household those tenants who were too old to till the soil.³

1. MacLeod Papers, Tack of Gesto, 20 Feb. 1674 (box 21a).

2. Martin, Description, 184 - italics mine.

3. Ibid., 162 and 248.

It is true that there were some large-scale displacements of tenants, especially at the beginning of our period. The island of Lewis, for instance, had seen much violence. The representative of the old ruling family, the MacLeods of Lewis, had been dispossessed in favour of the Fife Adventurers; but their colonisation scheme had proved abortive and Kenneth MacKenzie of Kintail eventually became the proprietor. A contemporary report of a discussion in the Privy Council on Lewis in June, 1615, stated that 'Lewis is dispeopled in sua that no man can be listed [enlisted] there'.¹ But there is much evidence that things were different later in the century even when land was more or less violently changing hands. In 1674 The Articles of Agreement between the representatives of the Earl of Argyll, the new owner of Mull, and MacLean of Broiloss for the rebel MacLeans provided that those tenants and kindly possessors who took their lands of Argyll and kept the terms of the agreement should be received into Argyll's protection and treated by him civilly and according to the law.² A statement of 1679 by the Earl noted that the tenants of Mull who came to an agreement with him in 1674 afterwards rebelled again and paid no rent to him for four years; another agreement was reached but they rebelled a third time, yet he was still offering to forgive them if they agreed to pay rent to him.³

More detailed evidence is available for a few islands where two

1. Dennylne MSS, Report of Privy Council Meeting, 22 June 1615, Highland Papers, iii, ed. J.R.N. MacPhail (SHS, 1920), 250.
2. Articles of Agreement with the rebels in Mull, 18 Sept. 1674, Highland Papers, i, 275-7.
3. HMC, 6th Report, appx Duke of Argyll, 629-no. 202, Condescendence of the Earl of Argyll, 7-8 Aug. 1679.

or more rentals have survived, a few years apart in time and incorporating the names of the tenants. These islands are Luing and Seil in the south west and Harris in the north west. In Luing and Seil there were in 1666 fifty-one joint tenants; of these at least twenty-two were still in the same townships in 1671, and several more may have been, for the clerk omitted some forenames in the latter rental, and some people previously referred to by a patronymic may have appeared in the 1671 rental under a surname, e.g. Alexander MacEan dui and Duncan Dow MacEan VicEwan in Ballachuan Seil may have been the Alexander and Duncan MacDougall there in 1671. There is also some evidence that efforts were made to accommodate the various members of a family: in 1666 half of the township of Kilchattan in Luing was occupied by Duncan Oge MacDougall, Alexander, his son, and Ronald, Duncan's brother; in 1671 it was occupied by three brothers, Duncan, Sorley and Allan MacDougall. It seems that here as elsewhere there was considerable security of tenure.¹ In Harris according to the rental of 1680 there were some sixty-nine joint tenants; of these thirty-four, or almost exactly half were still in the same townships four years later, and as in Seil and Luing this probably considerably under-represents the degree of security of tenure since there is the likelihood that some names which appear slightly different in the two rentals refer to the same person.² There is then a substantial body of evidence that in practice the small tenants of the Western Isles, in the later seventeenth century

1. Breadalbane Muniments, Rental and Set of Ld Neil Campbell's Lands 1666 and 1671 (GD 112/9/22).

2. MacLeod Papers, Rentals of Harris 1680 and 1684 (box 22).

at least, had much greater security of tenure than their legal position might suggest.

Because of the great number of small proprietors in Orkney and Shetland, the division of ownership even at township level, and the shortage of suitable extant rental material, it is very difficult to form general conclusions about small tenants in these islands. But it is clear that, as in the Western Isles, the number of small tenants in a township and the extent of their holdings were varied. The rental of the bishopric of Orkney c. 1660-1675 shows, for example, that there were two tenants on the Bishop's three pennylands of Wester Voy and five tenants on his nine pennylands of Hurkisgarth in the parish of Sandwick; each had a holding of between one and a half and two pennylands.¹ On the lands of Hugh Halcro of that ilk in the island of South Ronaldsay there were in 1642 five tenants on the six pennylands of Barswick and six tenants on the five pennylands of Thuragar; their holdings ranged from under a quarter of a pennyland to one and a half pennylands.² The bishopric rental, which covers parts of six Orkney parishes, suggests that most of the small tenants' holdings were from half to one and a half pennylands in extent.

In Shetland it is even more difficult to find good illustrative examples of the situation. Notes of the tacks set by the Earl of Morton's factor in 1653 are helpful although they frequently do not

1. GD 1/303/12, pp. 7 and 10-11.

2. O & S Papers, Rental of Hugh Halcro's Lands in S. Ronaldsay, (RH 9/15/170).

cover the whole of the lands of a township. In Heglibister in Weisdale eight merklands were set to Rasmus Anderson, seven merklands to Mans Turbaldson, six to James Mitchell and three to Mans Morison; and in Channerwick in Dunrossness one merkland was set to Mans Manson, and one and a half merklands to Laurence Peace.¹ There is, unfortunately, insufficient evidence to show what was the common range of extent for the holdings of small tenants.

The bishopric rental of Orkney c. 1660-1675 also shows clearly certain differences in the position of the small tenant in the Northern Isles from the position of his counterpart in the Western Isles: in Orkney and Shetland, because of the divisions of land-ownership, the small tenant of one proprietor might share a township with the tenants of other proprietors and even with small proprietors who laboured their own lands. In Aithstoun in Sandwick, for instance, the bishop of Orkney had three small tenants, but there were at least eight other occupiers of land there who may have been either small proprietors or the tenants of others.² Doubtless, there were in some townships men who both owned and rented lands there and men who rented lands from more than one proprietor.

In return for their holdings the small tenants paid a rent to their landlords. In Shetland the rents of tenants large and small alike were fixed in accordance with the denomination of the land, and they paid rent in butter and wadmél, or later in the century in butter and money, on a scale which was based on the number of merklands

1. Morton Papers, Untitled Acc. Bk, fos. 5r and 15v (GD 150/2015/1651).

2. GD 1/303/12, pp. 12-15.

they occupied and the rating of their land in pennies to the merk. The tenant of one merkland rated at six pennies to the merk would pay one third of a lispound of butter, two cuttels¹ of wadmél or 4/- per cuttel, and in addition the yearly grassum of 8/- per merkland. The tenant of a merkland rated at twelve pennies to the merk paid double the above for butter and wadmél, but still only 8/- in grassum. Sometimes, however, a part of the rent was remitted in order, for example, to get tenants for very poor land.²

In Orkney rent payments were not so simple. The commodities in which rent was paid were rather different. The major part was often paid in grain, either malt or bear, of which, as we shall see, these fertile isles produced a surplus; but sometimes the main item of rent was butter. Other commodities paid in rent included flesh (i.e. meat), oil, poultry and money. The commodities demanded tended to vary from one district to another: most of the lands in the bishopric parishes paid malt, flesh and poultry, but in South Ronaldsay on Hugh Halcro's lands the tenants paid malt, poultry and oil. No particular denomination of land carried a fixed set of payments, and there were sometimes variations even within one township. In Wester Voy in Sandwick, according to the bishopric rental, one and a half pennylands paid half a barrel of butter, three hens and forty shillings of grassum a year; in Hurkisgarth in the same parish this denomination paid nearly three meils of malt, one and a third meils of flesh, three hens and twenty shillings of

1. A cuttel was a Scottish ell.

2. Gifford, Hist. Description, 54 and 58.

grassum a year besides some small scat duties.¹ On Hugh Halcro's lands of Barswick in South Ronaldsay one holding of one and a half pennylands paid eight meils of malt, one lispound of oil and six hens, but another of the same denomination paid nine meils of victual (undefined), one and a half lispounds of oil and six hens.²

Some services were also rendered by the tenants. Of these probably the most important was carriage, which we have already discussed with reference to the larger tenants. The Complaint against the Civil Administration of Orkney, however, refers to the obligations of all tenants by way of carriage, not just the larger ones.³ Some tenants of Orkney, at least, had to pay and deliver loads of peats. In the time of Earl Patrick both the crown and bishopric tenants in each parish had this obligation,⁴ but during the seventeenth century they were not always rendered. An undated seventeenth century rental of peats due from the crown lands in Birsay states that in many cases they were remitted in order to attract tenants, and that the chamberlain did not receive enough even for his own needs.⁵ The ordinary small tenant was not, however, required to labour on lands in the proprietor's own hands. This is clear from a formal complaint made by the inhabitants of the island of Græmsay to the bailie court of Orphir in Orkney c. 1698.

1. GD 1/303/12, pp. 7 and 10-11.

2. RH 9/15/170.

3. See above, p. 110.

4. Peterkin, Rentals, Rentale Orchadie 1595.

5. Morton Papers, Rental of the Peats of Birsay n.d. (GD 150/2018).

They claimed that the wife of James Stewart, proprietor of Graemsay, had wrongfully forced them to labour on the lands of Sandside because she had not sufficient resources of her own for the work.¹ In Orkney cottars who gave labour services, as well as servants, were almost certainly employed for this purpose, for in an early eighteenth century lawsuit over the estate of Elsness in Sanday, cottars were called upon to give evidence of the services which they performed.² The records of Shetland, however, are silent on this point.

The small tenants in the Northern Isles, unlike the small tenants of the Western Isles, often held written tacks of their lands. Mention has already been made of the tacks set by the Earl of Morton's factors in Orkney and Shetland in the mid-seventeenth century. Of the tacks set by Benholme in the parish of Birsay in Orkney in 1651, two were of only a half pennyland each, and, of the total of sixteen, only three were of two pennylands or more.³ Of the tacks set in various parishes in Shetland in 1653, twenty-six out of thirty were of less than ten merklands each.⁴ All of these tacks ran for three years. Small tacks were also sometimes granted on the bishopric lands in Orkney, for an instrument of the bailie court of Shapinsay in 1641, narrated that fourteen tenants there with holdings of between one and a half farthinglands and one and a half pennylands had held

1. Craven Bequest, Fragment Bailie Court Record of Orphir c. 1698, Complaint of the inhabitants of Graemsay (GD 106/215).
2. Marwick, Merchant Lairds, ii, 18-20.
3. Morton Papers, Compt. of Tacks set by Benholme (GD 150/2010).
4. Morton Papers, Untitled Acc. Bk, fos. 5, 8, and 15 (GD 150/2015/1651).

tacks of the Bishop, but that these had now expired.¹ Private proprietors, too, sometimes granted quite small tacks: in 1690 Harry Graham of Breckness set a tack of one pennyland in the Outertown of Stromness to William Dingwall there;² and in Shetland in 1614 a tack of one merkland in Setter, Unst was granted to the occupier, George Spence, by one M... Finlayson.³ Most of these tacks were also for terms of three years.

Small tenants in the Northern Isles, then, frequently had greater legal security of tenure than small tenants in the Western Isles. But whether in practice they were more secure is open to question. There is hardly any direct evidence on this point, and some of the indirect evidence should be viewed with great caution. The court books of Orkney and Shetland contain many decreets of removing against tenants, but it should be remembered that removing a recalcitrant tenant involved a legal process, whereas extending a tenant's term of occupation did not. Moreover, hardly any court records from the Western Isles have survived; we have, therefore, no means of assessing whether legal actions for the removal of tenants were commonplace or rare in this area.

There is no evidence, however, that tenants in Orkney and Shetland regarded their landlords with the veneration often given to chiefs in the Western Isles. Earls Robert and Patrick Stewart had

1. O & S Papers, Extract Bailie Court Bk of Shapinsay, 1641 (RH 9/15/63).
2. Scarth of Breckness, Tack to Wm Dingwall, 15 Apr. 1690 (GD 217/1027).
3. SRO, Irving of Midbrek Papers (microfilm), Note of Tack to Geo. Spence, 31 Aug. 1614 (RH 4/35/389/85/2).

proved unscrupulous men, and many of the larger landowners in the Northern Isles in the seventeenth century were descendants of their relations and followers; few of the more important proprietors belonged to families established in the islands before the middle of the sixteenth century; the ease with which land could be acquired from impoverished udallers meant that there was much less mystique attached to landownership than in the Western Isles, where land rarely changed hands, and it probably also meant that landlords took a much less paternal attitude towards their tenants and regarded them primarily as producers of revenue, whereas in the Western Isles a landlord's importance had traditionally depended upon the numbers of his followers and their loyalty towards him which was derived ultimately from Celtic kin-based society.

In addition to all this, the crown lands and frequently also the lands of the bishopric of Orkney were for large parts of the seventeenth century set on short tacks with the aim of producing for the owner (and the tacksman) the maximum immediate revenue.¹ Tacksman who themselves had little security of tenure were unlikely to have regarded the security of small tenants as important compared with their need to make their tack pay. It is significant that Sir Alexander Brand, tacksman of the crown and bishopric lands from 1693 to 1695, a time of famine and war, had to suffer huge financial losses because, instead of exacting the victual rents due from the tenants which would have left them starving and the lands untenanted, he allowed the tenants to retain their corn for food and seed.²

1. See above, p. 102-3.

2. Morton Papers, Petition of Sir Alex. Brand, 1707 (GD 150/2021/1693-5).

On the other side of the picture, instructions to bailies in Shetland at least often included strictures not to let the king's lands lie ley (uncultivated).¹ One way of avoiding this would be by encouraging tenants to remain in their holdings. Secondly, the one piece of direct evidence found by the author with a bearing on security of tenure suggests that it could be considerable. In 1641 the occupiers of the lands of Sands, Sanger, Swartaquoy and Meaness in the island of Shapinsay resigned their lands in favour of Robert Tulloch of Langskaill who received a tack of these bishopric lands. Yet in the bishopric rental of 1660-75 four of the occupiers of these lands, Robert Drever in Sands, John Habrek, John Swannie and William Cumming in Meaness, had the same names as occupiers in these townships in 1641; and all except William Cumming had the same size of holding as before. Three other tenants had the same surname as the occupiers of corresponding holdings in 1641. Furthermore, one of these three, William Clerk in Sands, was stated to have been the last occupant of part of the lands of Sands granted in tack to John Heddle in 1687.² Thus, on some lands in Shapinsay, whether held directly of the bishop by small tenants or set to a tacksmen, there seems to have been considerable continuity among the occupiers of the land.

A few points about the general structure of land tenure in the Northern and Western Isles have not yet been considered. One of

1. Bruce of Symbister, Commissions of Bailiary to Ola Manson of Islesburgh, 1629, and to John Bruce of Symbister, 1695, (GD 144/box 11).
2. GD 1/303/12 pp. 74-79; O & S Papers, Extract Bailie Court Bk of Shapinsay, 1641; and Craven Bequest, Tack to J. Heddle, 4 May 1687.

these is the proportion of land held of proprietors by small and large tenants respectively. These proportions, no doubt, varied during the course of the seventeenth century, and in the Western Isles it is only possible to glimpse the situation in a few islands in the later seventeenth or early eighteenth centuries. In Harris in 1680 some seventy pennylands are listed in the rental; of these approximately two thirds were held by tenants of the tacksman type and one third was in the hands of joint tenants.¹ In the 1721 rental of South Uist some sixty pennylands are listed as tenanted; of these about half were rented by tacksmen and the other half by joint tenants.² In Luing and Seil in the south west, on the other hand, in 1671 only one and a half of Lord Neill Campbell's thirteen and a half townships were set to tacksmen; the rest were in the hands of small tenants.³ The reason why there were so few tacksmen in these islands was probably that, as we have seen, they gained few, if any, concessions over the small tenants in the rents they had to pay.⁴ In Orkney and Shetland there is no general evidence to show the respective proportions of the land held by large and small tenants in the seventeenth century. Probably, however, the proportion held by large tenants was considerably less than in either Harris or South Uist, for in the Northern Isles, as in parts of the southern Hebrides, the larger tenant gained few concessions on his rent.⁵ In addition,

1. MacLeod Papers, Rental of Harris 1680 (box 22).

2. Exchequer Records, Rental of S. Uist 1721.

3. Breadalbane Muniments, Set of Ld Neill Campbell's lands, 1671 (GD 112/9/22).

4. See above, pp. 99-100.

5. See above, pp. 113-4.

in the Northern Isles it was very much easier for a man of moderate means to buy land for himself.

Another point which should be noted is that the categories of large and small tenants which we have used, although generally representing different types of tenant, in some cases may overlap. How, for example, should one categorise John Heddle, who in 1687 obtained a tack of three pennylands in Sands in the island of Shapinsay in Orkney?¹ This holding was a little bigger than most given in the bishopric rental of 1660-1675, which in general listed the lands as they were occupied by the labouring tenants. Nevertheless, three pennylands was not a large holding. And was there a great difference between the position of Ewan MacPherson, the holder of five and a half farthinglands in Middle Borrow in Harris, a township of two and three quarter pennylands, and the position of Angus MacKenzie, who held the whole of the two pennylands of Seilebost there?²

A further point to note is that some land was not let by the proprietors to tenants large or small. In the Western Isles the chiefs were legally obliged to keep a mains or home farm by the Privy Council regulations of 1616. It is evident that some of them already had mains at this time, for Clanranald was singled out as not possessing one, and the farm of Howbeg in South Uist was designated for this purpose.³ Sir Donald MacDonald of Sleat still had a mains in 1699 when he wrote to his lawyer in Edinburgh that

1. Craven Bequest, Tack to J. Heddle, 4 May 1687 (GD 106/212).

2. MacLeod Papers, Rental of Harris 1680 (box 22).

3. RPC, 1st series, x, 775.

because of the famine he would have 'at least 1,000 merks rent wast this year more than I hade the last, and I then hade 1,800 [merks] more than my own mains wast'.¹ But since there were so few proprietors in the Western Isles, the lands held as mains must have been only a tiny fraction of the total lands there.

In Orkney and Shetland where there were a great number of very small proprietors especially in the early years of the seventeenth century, much more of the land is likely to have been farmed directly by the owners. It would be a mistake, however, to suppose that a significant proportion of the farmers were not tenants, as a study of the testaments of the period shows. In Shetland where testaments are extant for the years 1600 to 1649, 76% of the deceased persons (or their husbands in the case of married women) owed landmails; only 5% of deceased persons owed scat or feu duty only, indicating that they were proprietors of land but not tenants; the rest were made up of people who owed no land duties at all (frequently these were poor widows) and people whose land duties were not separately specified. In Orkney the figures for the first quarter of the seventeenth century are very similar: 72% of deceased persons were tenants, and only 8% were proprietors who were not also tenants. In Orkney testaments are also extant for the later seventeenth century; the figures for the period 1675 to 1699 show an even smaller percentage (3%) of deceased proprietors who were not also tenants, but this figure may be too low since the testaments of this period give less detail on debts than the earlier ones and as many as 10% of all

1. Delvine Papers, Letter to John MacKenzie from Sir Donald MacDonald of Sleat, 6 Apr. 1699 (NLS MS 1307, fos. 156-7).

testaments do not subdivide the land duties owed into landmails and scat or feu duty. It is, unfortunately, also impossible to tell from most testaments from the Northern Isles which tenants were landowners as well, and which were not, since the tenant paid the scat duty on his land in addition to the rent.

Testaments show another interesting feature in the pattern of land tenure in the Northern Isles: this is the large number of tenants who rented land from more than one landlord. In Orkney in the period 1600 to 1625 one fifth of all tenants owed landmails to more than one person. In Shetland at the same time the proportion is much larger: one half of all tenants had two or more landlords. The number of landlords to whom any one tenant owed rent could be up to four in Orkney, where for example, Nicol Cromarty of Newbigging in South Ronaldsay, who died in 1613, owed landmails to the crown, William Yule in Walls, John Sinclair, skipper, and Agnes Inghand; none of the lands which he rented could have been very extensive, for the total rent owed by him to all four people did not exceed £30 when converted into money values.¹ In Shetland a tenant might rent land from an even greater number of proprietors: one tenant in Unst, Laurence Anderson, whose wife died in 1635, owed rent to no less than eight different proprietors, yet his total debt in landmails, when converted into money values, was only about £20.²

This situation was caused by two interrelated factors. The first was division of ownership even within a single township; and secondly, there was the udal system of land inheritance, which meant

1. O & S Tests., ii, fo. 182.

2. O & S Tests., iii, fo. 197r.

that, when a udaller died, his tenant might find himself with as many landlords as the udaller had children. The situation must have become less chaotic as the century progressed, since many of the small landowners in the Northern Isles sold their lands to larger proprietors and, at the same time, udal customs were declining.¹ But this movement cannot be illustrated by means of the testaments, since none are extant for Shetland after 1650, and those for Orkney do not list rent payments in sufficient detail.

There were, then, significant differences in the patterns of land tenure in the Northern and Western Isles, and these were chiefly the result of differences in the patterns of land ownership. In the Western Isles where estates were generally large, and the land-owning families few, often of long standing and chiefs of clans with traditions of fighting, the proprietors generally had a number of large tenants or tacksmen who were usually either their own relatives or leaders of prominent local families. These men had important military and administrative functions to perform for which they generally received a considerable reduction in their rent, although in some of the islands of the south west, where estates were run in a more commercial manner, this reduction was smaller if it were granted at all. In parts of the north west, however, the reductions were sometimes so great that they may well have been an important factor in the financial difficulties of some of the chiefs. Below the level of the tacksmen, there were the small direct tenants of the proprietors and the sub-tenants of the tacksmen. These tenants

1. See above, pp. 58-69.

held their land by verbal agreement only, but in practice probably had considerable security of tenure and benefited from the paternal attitude of the landlords towards them.

In the Northern Isles apart from the very large crown and bishopric estates, the lands of proprietors were not generally extensive, and sometimes were very small indeed; they were also frequently not compact but widely scattered. The pattern of land tenure was therefore very complex. The biggest tacksmen were the men who leased the whole of the crown or bishopric lands; they were often not resident in the Northern Isles, and held their lands on short tacks for a high rent. A second group of tacksmen were those who leased only part of a proprietor's land. These men, too, generally had only short tacks and sometimes, because of the minute divisions of ownership in the Northern Isles, were unable to lease the whole of a township. Many of them were themselves proprietors of land. They had no military functions, and were regarded primarily as rent-paying tenants. At township level, in a single community there were sometimes the small tenants of more than one proprietor and there might also be small proprietors who laboured their own land. Small tenants often had three-year written tacks, but whether in practice they had greater security of tenure than the small tenants of the Western Isles is debateable, for the paternalistic attitude of landlord to tenant so widespread in the Western Isles was little in evidence here. Despite the large number of proprietors in Orkney and Shetland there were few who did not rent some land, and a substantial proportion of tenants in the earlier years of the seventeenth century, especially in Shetland, rented land from more than one proprietor.

Chapter IV

The Pattern Of Agriculture

Our study so far has shown substantial differences between the Western and the Northern Isles in the structure of land ownership and land tenure. Agriculture, however, is heavily dependent on physical factors such as climate and the nature of the terrain, and it will be of importance to note how far the differences so apparent between the Western and Northern Isles in the pattern of landholding, which was largely the outcome of their differing historical backgrounds, were reflected in the pattern of agriculture; and, on the other hand, to what extent similarities and differences can be attributed to physical or other factors.

The sources of information for seventeenth century agricultural practices in our island areas are varied. The availability of reliable contemporary and near contemporary descriptions covering all our areas has already been noted.¹ But other records are less comprehensive in their geographical coverage: the scope of testaments was discussed in the introductory chapter;² court records are another valuable source - local regulations or bye-laws, which in Orkney and Shetland were called country acts and in the various parts of the

1. See above, pp. 14-15.

2. See above, p. 16ff.

Western Isles were known as the acts of the appropriate baron-bailie courts, tell us much about the general organisation of agriculture, but in the Western Isles in the seventeenth century such regulations are known to have survived only for Glenorchy's lands in Lismore and the small islands off the coast of Nether Lorne;¹ local court cases, too, can be invaluable in providing detailed information about agricultural practices, but again nothing survives from the northern Hebrides, for even the justiciary records of Argyll and the Isles, which are extant from 1664 onwards, do not in our period include cases from islands north of Mull.² Over most of the Western Isles including all the Outer Hebrides there is little source material on seventeenth century agriculture except that contained in geographical descriptions and what can be gleaned from private estate records.

When we examine the organisation of agriculture in the Western Isles, Orkney and Shetland, certain broad similarities emerge. In seventeenth century rentals tenants (and, in the case of the earldom and bishopric rentals of Orkney, small owners) are listed under place-names which we have called farming townships. Within these townships the number of tenants varied partly with the extent of the township and partly with the sizes of the tenants' holdings, but in most places where evidence has survived townships commonly had between four and ten joint-tenants, some of whom may have had sub-

1. Breadalbane Muniments, Acts of the Laird of Glenorchy's Courts, contained in The Court Books of Disher and Toyer 1615-1721; and Actis and Ordinantis sett down in the Court [Nether Lorne] c. 1660.
2. The Justiciary Records of Argyll and The Isles, i, 1664-1705, ed. J. Cameron, (Stair Soc., 1949).

tenants.¹ This brief outline of the farming township is confirmed by two contemporary eye-witness accounts, one from Lewis and from Shetland. Captain Dymes, an English man who visited Lewis in 1630 to assess for Charles I its suitability as a fishing centre, wrote that 'The Leweis is devided into 4 parrishes, in each of which parrishes there are some 20 townes, which townes are some halfe a scoare cottages built togeather neare some peice of arrable land where they [the inhabitants] make theire aboade in winter'.² Captain John Smith, who visited Shetland three years later on a similar mission for the Earl of Pembroke, related that there were 'several towns in Shetland so called, being about eight or ten houses together, where they plow and sow corn'.³

Within the townships holdings were not individually enclosed and run as separate units, but, as in other parts of Scotland, the open-field system of agriculture with common grazing for the farm animals prevailed.⁴ With joint occupancy of farms, common regulations for the execution of the various operations in the farming calendar were essential, and these were provided by the country acts and bailie court acts mentioned above.

The surviving seventeenth century bye-laws for our areas all

1. See above, pp. 117-9.
2. Capt. Dymes, 'Description of Lewis 1630', printed in History of the Outer Hebrides by W.C. MacKenzie (London 1903), 592.
3. Capt. J. Smith, 'A Description of the Island of Shetland 1633' printed in Geographical Collections relating to Scotland made by Walter Macfarlane (SHS 1906-8), iii, 63.
4. Smout, A History of the Scottish People, 119-20.

contain remarkably similar provisions for good neighbourhood i.e. the accepted set of practices governing the behaviour of tenants (and in the Northern Isles also owner-occupiers) towards one another which enabled this system of farming to work. In open-field farming probably the most troublesome task was to protect the growing crops from the depredations of the farm animals. The most effective means of achieving this was by the erection and maintenance of adequate dykes around the arable area outside which all or most of the animals could be kept during the growing season (head dykes); and similar dykes separating the lands of one farming township from those of another (march dykes). Animals such as milch cows which might have to remain within the arable area during the summer could be kept in dyked enclosures known as folds or pounds. The extant sets of local bye-laws all have provisions relating to dykes.

The country acts in force in Orkney and Shetland respectively in the year 1615 are extant and contain identical provisions for the enforcement of good neighbourhood among the inhabitants of each parish 'in bigging of thair dykis yeirlie and putting of thair swyne to the hill' before 15th April, in 'keiping and hirding of thair sheip' by the same date and in keeping their horses and cattle by 1st May.¹ According to the Acts of Glenorchy's Courts of 1615-18 all tenants within his lands and bailiary, which included part of the island of Lismore, were to ensure that 'all heid dykis and fauld dykis be yeirlie beittit [repaired], biggit and upholden be the awneris and possessouris thair of sufficientlie with diviot, earth

1. The Court Books of Orkney and Shetland 1614-1615, ed. R.S. Barclay (SHS 1967), 27-8 and 66.

and steane', while an act of the same court of 1623 ordered all tenants to put 'their heall ky, hors, nolt [cattle] and scheipe outwith thair heid dykis fra the first of Maii'.¹ The acts of court affecting Nether Lorne (including the islands of Seil and Luing) about the year 1660 opened with an order to the tenants 'to mak sufficient merch dykis', while each township was to have a 'poindfauld' or enclosure to which animals found destroying corn or grass were to be taken.² In these particular regulations, however, there was no mention of any head dykes. Similarly all these sets of bye-laws made provision for destroyed corn and grass to be assessed by neighbours, and compensation paid to those who had suffered skaith or damage by the owner of the offending animal.

The building of dykes around the arable land and enclosures for animals within them was a thoroughly well-established practice in the Northern Isles in the seventeenth century. In Orkney some of the bailie court records of the combined parishes of St. Andrews and Deerness have survived. They show that the date by which the parishioners were 'to have ther dickes put up' was annually laid down, and there is no indication in the individual cases heard by the court that its decreets on the building of dykes were not generally obeyed. The same court also from time to time made regulations concerning particular enclosures or quoys within the general arable areas of a farm, as when in March 1668 it ordered the tenants of

1. Breadalbane Muniments, Court Bk Disher & Toyer 1615-1620 (unfoliated), opening acts 1615-18; and Court Bk Disher & Toyer 1620-1627, opening acts.

2. Ibid., Acts of Court - Nether Lorne c. 1660 (GD 112/17/1).

Foubister and Toab in St. Andrews to 'dight [prepare] the sheipe quoy and mak it cleine and bigit sufficientlie' by 4th May.¹

In Shetland the court book of 1602-4 makes many references to dykes and pounds. In 1602 the tenants of Caldback in Unst were ordered to 'big up thair dykis sufficientlie according to use of nychbourheid' in order that Alexander Forbes might be 'skaithles of thair guidis [animals] in his corne and girse'. Several people were even fined for having built extra unlawful dykes, and they included the unfortunate Eric Stephenson in Fetlar, whose land was being damaged by his neighbours' swine. Erasmus in Frangord, Unst, on the other hand, was ordered to 'keip ane lawfull pund with the assistance of his nychbouris to the effect that the tennentis of Meil and Colvidaill may be saife in their girse and cornis of thair sheip and uther guidis'.²

Similarly the tenants of Glenorchy's lands in Lismore seem to have been well used to erecting their dykes, for although the court records of Lismore in some years contain entries accusing all the tenants of not building head dykes (the laying of formal charges against all the tenants of an area, who then had to clear themselves, was a standard practice in Campbell of Glenorchy's courts) no-one was convicted of that particular offence.³ In contrast, however, the march dykes which the tenants of Seil and Luing were supposed

1. SRO, Local & other Court Records, Bailie Court Book of St Andrews and Deerness 1665-1674 (unfoliated).
2. Court Bk Shetland, 5 and 10.
3. Breadalbane Muniments, Court Nks Disher & Toyer 1615-1657, e.g. court of Lismore, 2 July 1629.

to erect were widely neglected: a fragment of the bailie court record of Nether Lorne for 1680 is extant, and shows that the tenants of several townships were convicted of failing to build their dykes; the tenants of Ballachuan in Luing, for instance, 'confest that they did not big thair merch decks nor that they have noe poind faulds'.¹

In many other parts of the Hebrides there were few, if any, dykes. As late as 1811, it could be said that 'the isles are dplorably naked and open. None of them, excepting five or six of the more southerly, and a few farms in Skye, are furnished with anything which merits the name of enclosure, and accordingly their agricultural state is miserably bad'.² Writing at the close of the seventeenth century, Martin Martin suggested that enclosures would be one of the basic means to improve Hebridean agriculture, and described how, without march dykes, neighbouring townships preserved their boundaries by depositing there large heaps of ashes surmounted by big stones, taking boys from both townships and there whipping them soundly enough that they would never forget where the boundary lay. In Martin's day, however, there must have been some enclosures in Skye since he relates that cows were tied on the boundary of a man's ground if he had been 'troubled with his neighbour's cows breaking into his inclosures'.³

It is almost certain that dykes at this period, both in the

1. Ibid., court record headed 'The Tennents of Luing', 5 Aug. 1680 (GD 112/17/1).
2. J. MacDonald, General View of the Agriculture of the Hebrides (Edin., 1811), 163-4.
3. Martin, Description, 175, 208 and 350.

Western and the Northern Isles, were generally made not of stone but of earth and turf, although detailed descriptions of them come only from later writers. According to John Walker, who made journeys in the Western Isles between 1760 and 1786 in Tirey, and other islands, many of the fields are inclosed with walls of earth, very broad at the foundation, five or six feet high, and covered with grass from top to bottom. They are perpetually crumbling to pieces and creat to the husbandman a constant annual toil'.¹

Reviewing the agriculture of Orkney and Shetland around 1800, John Shirreff stated of Orkney 'the hill dykes are built of turf. They crumble down in winter and are repaired again in the spring, when the corn begins to rise', and of Shetland he wrote that the arable and common grazing lands were separated by 'an earthen mound or fence'.² It is possible, though not certain, that there were in the seventeenth century some stone dykes in Lismore, for it will be recalled that Glenorchy's tenants were bound to repair their dykes annually 'with diviot, earth and steane'.³

It was, then, standard practice in Orkney and Shetland to build and annually repair dykes around the arable areas and dykes which enclosed pounds within the arable areas; but in the Hebrides dykes were very uncommon except in a few of the most southerly islands. We have already seen that these were the places where a more commercial attitude was being taken by proprietors to the leasing of their lands to tacksmen.⁴ It is very likely that the same attitude extended to

1. J. Walker, An Economical History of the Hebrides and Highlands of Scotland (Edin., 1812), i, 115.

2. J. Shirreff, General View of the Agriculture of Orkney and Shetland (Edin., 1814), Orkney section, 55; Shetland section, 39.

3. See above, p. 145, (*italics mine*).

4. See above, p. 90.

agricultural practices such as dyke-building, which gave crops much more effective protection than the herding of animals alone could do. In Shetland there was the additional incentive that, as we shall see below, the crop was extremely small and every year large quantities of grain had to be imported. Over most of the Western Isles, however, proprietors had no direct experience of more advanced agricultural practices, and they evidently did not consider their increasing financial needs sufficiently pressing to induce them to build dykes in order to obtain better crop returns.

The growing of crops to feed the local population was in the seventeenth century an important aspect of the farming economy of all the Northern and Western Isles. The reason for this was poor communications which meant that local shortages could not always be quickly relieved. Orkney and Shetland, for example, suffered a severe famine in the middle of the 1630s which caused 'great death of labouring peipill and thair flying to Norroway'.¹

Every township had its portion of arable land which was in various ways allotted among the occupiers for cultivation. There is no evidence that, at this period in the Western Isles, tenants held any particular portion of the townsland (the arable and meadow lands surrounding a settlement, as opposed to the common hill pasture) as a permanent part of their holdings. But in the Northern Isles some land was held thus. Dispositions of land there show that one of the usual pertinents of an agricultural holding was a tounel (a

1. Kinross House Papers, Draft Remonstrance by the Inhabitants of Orkney and Shetland to the Privy Council, requesting assistance in the famine, 1635 (GD 29/163).

Norse term for a piece of ground which was a permanent adjunct to a particular house).¹ The author has found no evidence that crops were grown in *toumals* in Shetland, but in Orkney they frequently were. In a detailed study of the Orkney townships, Storer Clouston has shown that the *toumals* of the township of Paplay in South Ronaldsay, which was perambulated and redivided in 1677, formed part of the arable land of that township.² Moreover, certain *toumals* are listed in the *Rentale Orchadie* of 1595 as paying rent in grain: the *toumal* of Pool in Deerness, for example, paid eight settings of victual.³

In Orkney and Shetland, however, as in the Western Isles, most of the arable land was worked by some form of shared cultivation. This did not necessarily mean that all the occupiers of a township shared in the cultivation of every field. We have already noted that in some townships particularly in the outer Hebrides the number of tenants was very large. If all the thirty-nine tenants of Shawbost in Lewis, for instance, had shared in the cultivation of every piece of its arable land, the results would have been chaotic. But, as Arthur Geddes noted from the exchequer rental of Lewis of 1718, most of the tenants of the larger townships there came forward in groups, generally of three to six persons, to depone upon the rent which they paid, and within each group all the tenants paid an equal

1. *Toumals* and their origins are discussed by J. Storer Clouston in 'The Orkney Pennylands', *SHR*, xx (1923), 19-27.
2. J. Storer Clouston, 'The Orkney Townships', *SHR*, xvii (1920), 19-21.
3. Peterkin, *Rentals*, *Rentale Orchadie* 1595, pp. 7-8. N.B. 6 settings = 1 meil.

rent. On this evidence Geddes postulated that the arable lands of such townships were run as several separate farms by groups of tenants big enough to form a plough team and a boat's crew, living together in small hamlets or clachans.¹ Exchequer rentals are also available for the forfeited estates of MacKinnon in Skye, and MacDonald of Sleat in Skye and North Uist, and these show similar patterns. In Sconser in Trotternish (Skye), for example, two groups of four tenants paid a rent of £9-6-8d per tenant, while a third group, this time of five tenants, paid £4-13-4d per tenant.²

In most respects Geddes's theory fits the known evidence very well; but there are good grounds for suggesting that in some places the situation was a little more complex. On more than one occasion he equates a hamlet-farm in Lewis with a pennyland,³ whereas, although the denominations of holdings were not usually given in the exchequer rentals of 1718, in one case where they were - that of Netherbible in Lewis - one of the hamlet-farms cannot have been a pennyland since five tenants who came forward as a group were each said to hold a farthingland.⁴ Seventeenth century rentals show that in some islands, at least, the tenants of many townships did not hold equal shares of the land and cannot be subdivided into smaller groups, the members of which held equal shares. In the two pennylands of Lingay in the island of Pabbay off Harris, for example, there were in 1680

1. A. Geddes, The Isle of Lewis and Harris (Edin. 1955), 117-18.
2. Exchequer Records, Rental of MacDonald of Sleat's lands in Skye 1718.
3. A. Geddes, Lewis and Harris, 117 and 118.
4. Exchequer Records, Rental of Lewis 1718.

two holdings of a halfpennyland, two holdings of a farthingland, one of three-eighths of a pennyland, and one of one-eighth of a pennyland.¹ The arable here may have been worked as two separate pennyland farms, or the whole may have been worked as one farm, but in neither case would all the shares in the farms have been equal. Similarly in Islay, in the parish of Kildalton, the quarterland of Balneill was held one half by Archibald Campbell, one quarter by Donald Campbell, and one eighth each by Allan MacDougall and John MacAlpine.²

In Orkney and Shetland, also, some townships were far too big to have been worked as one farm: Inner and Outer Stromness in Orkney, which each contained thirty-six pennylands,³ and the eighty-four merklands of Muness in Unst, Shetland,⁴ must have been too unwieldy to have been farmed as units. In certain instances in Orkney it can be shown from the evidence of rentals that townships comprised more than one farm: in the parish of Holm, the township of Hensbister was divided into Hensbister-be-East and Hensbister-be-West; and in Orphir there was Swanbister-be-North and Swanbister-be-South, Clestran-be-North and Clestran-be-South.⁵

Shared cultivation of a farm could take many forms. The most primitive of these was cultivation in common by the tenants, who divided the produce among themselves only after it was harvested.

1. MacLeod Papers, Rental of Harris 1680.

2. Rental of Islay 1686, Bk of Islay, 495.

3. Peterkin, Rentals, Rentale Orchadie 1595, p. 41.

4. PRS O & S, Shetland, iv, fo. 315v, Regd 29 Mar. 1666.

5. Peterkin, Rentals, Rentale Orchadie 1595, pp. 14, 27-29.

None of the sixteenth or seventeenth-century descriptions of the Western Isles gives a detailed account of how cultivation of the arable land was shared among the tenants in most islands, and we have to rely heavily for evidence on the comments of later writers. Nevertheless, it is certain that cultivation in common was practised in some parts of the Hebrides in the seventeenth century. Walker in his Economical History stated that 'in old times, a large farm was usually occupied by a number of conjunct tenants who cultivated the farm in common, and divided the produce', and he added that the system was still in operation in some places at the time he was writing.¹ Thomas Pennant described common cultivation in the island of Canna as it was practised when he visited it in 1772. 'The arable land in every farm is divided into four parts and lots are cast for them at Christmas: the produce when reaped and dried is divided among them in proportion to their rents.' A similar system, according to Pennant, was in operation in Rhum.² The main strength of the system of common cultivation was that it preserved the keenest sense of common interest in the land, which was extremely valuable in the period up to the early seventeenth century when lands in the Western Isles were very vulnerable to raiding and devastation by neighbouring clans,³ and when, consequently, there was no incentive to improve agricultural methods at the expense of security. The reason why common cultivation lingered on through the seventeenth century was

1. Walker, Economical History, i, 64.

2. T. Pennant, A Tour in Scotland and Voyage to the Hebrides 1772 (London, 1790), i, 315 and 320.

3. See above, pp. 6-9.

most probably a combination of the feeling of insecurity which was slow to die, and a reluctance to innovate, on the part of most proprietors and tenants, so long as sufficient food could be produced by the old methods.

In some parts of the Hebrides, however, the system of arable farming was more sophisticated and a form of runrig was practised. As in the matter of dyke building, some of the islands close to the coast of Argyll were among the most advanced. The bye-laws affecting Seil and Luing specifically state that all tenants and subtenants were annually to 'devyd equallie there wintertouns' and all the tenants were to 'good [manure] there owne scare [sic] of the said landis as it is devyded to them and according as they possess'.¹ These bye-laws and those affecting Lismore make provisions for the assessment of damage done to the crops of one man by the animals of another, from which it is clear that each tenant had his own share of the land. Glenorchy's court, for instance, laid down that 'all aittin and distroyed cornes with guids and bestiall ... be comprysit yeirlie intymecuming be honest nychboris immediatelie eftir the distructione thairof ... the samyn being comprysit the pairtie damptnified salbe hard and haif summar justice'.²

It is illuminating to note that in remote St. Kilda, which was visited by Martin at the close of the seventeenth century, the arable land was divided for cultivation and not held in common. 'Their arable land', related Martin, 'is very nicely parted into ten divisions,

1. Breadalbane Muniments, Acts of Court - Nether Lorne, c. 1660.

2. Breadalbane Muniments, Acts of Glenorchy's Courts 1615-1618.

and these into subdivisions'.¹ We see, then, that St. Kilda, which has often been cited as retaining a primitive way of life, had in the seventeenth century a system of agriculture which was in this respect, at least, more sophisticated than that of some of the less remote Hebridean islands. Because of its remoteness, St. Kilda was much less vulnerable to attack than many of the Western Islands, and collective arrangements to protect the crops were, therefore, much less important.

In the Northern Isles the arable land, apart from the townlands of Orkney, was normally held in runrig. It has already been noted from the evidence of sasines that runrig holding often extended to proprietors large and small as well as to tenants,² and, because of this, land divisions were frequently much more complicated than in the Western Isles. Small proprietors, it will be remembered, were often udallers, whose lands had been, and in some cases still were being divided amongst several heirs.³ The situation in 1690 in Kirbister (Orphir) in Orkney is a good example of the complexities of subdivision in a township under mixed ownership. One quarter of Kirbister was the property of Harry Graham of Breckness; eleven twenty-fourths belonged to Francis Murray; and seven twenty-fourths was divided between David Covingtrie and Nicol and George Wishart. After a dispute arose over the distribution of the lands of this township it was decided that each shed or field should be divided among them and that 'ilk person should be payed of his proportion within the said

1. M. Martin, A Late Voyage to St. Kilda (Stirling, 1934), 416.

2. See above, pp. 42-3.

3. See above, pp. 53-6.

shead'.¹

Some townships in the Northern Isles were owned entirely by one proprietor. Because of the scarcity of rentals from private estates, evidence about the divisions of holdings in this type of township is very hard to find, but in one case at least - that of Sands in Shapinsay, the property of the bishopric of Orkney - divisions were much simpler. According to the bishopric rental of c. 1660-1675 there were four holdings in Sands and each was one and a half penny-lands in extent.²

The complex subdivisions of many of the Orkney and Shetland townships were mitigated in some cases by the practice of planking or the consolidation of arable rigs of land in one particular spot. In 1624, for instance, Katherine Moir, a udaller, sold to Oliver Linklater property including 'ane plank of land containing seven rigs of land or thairby' in the township of Linklater in Sandwick, Orkney.³ Kirbister in Orphir, according to the perambulation of 1690, had arable land which was 'plancked' as well as land which was 'rendaled' or divided into rigs.⁴ In Shetland the court book of 1612 contains an agreement between James Sinclair of Bua and Elizabeth Spence, widow of Magnus Agarth, to 'merch and meith' two merklands out of the last or eighteen merklands of Bua, where Elizabeth's lands lay, to belong to her heritably 'as the twa merk

1. Scarth of Breckness, Decreet of Perambulation, 28 Nov. 1690 (GD 217/30).
2. GD 1/303/12, pp. 78-79.
3. PRS O & S, 1st series, ii, fo. 175.
4. Scarth of Breckness, Perambulation of Kirbister 1690 (GD 217/30).

uthall landis quhilk lay rig and rendall of befoir with and amangis the said James landis of Bua'.¹ But the case of Kirbister in Orphir also shows that consolidated holdings were still liable to be broken up again, for the planked lands there were ordered to be rendalled along with all the rest.²

In one respect the runrig system as it operated in Orkney and Shetland provided the farmer with a greater incentive to cultivate his lands well than did the system of arable land division practised in certain of the more advanced of the south Hebridean islands, viz. Luing and Seil, where, as mentioned before, lands were shared out annually.³ In the Northern Isles, by contrast, lands were re-allotted only when some dispute concerning them arose. Thus in 1601 an owgang or perambulation was held in the township of Corigill in Harray, Orkney, to investigate a land dispute among several of the proprietors there; if it were found that any of the parties had wronged any of the others, the land was to be shared out anew.⁴ In the following year in Shetland a court decided that the lands of Skelberry in Dunrossness must 'be pairtit be the fold [foud or local magistrate] and sax honest nychbouris and ilk awner to be possest with thair awin pairt according to use of nychbourheid' after Arthur in Skelberry had appropriated half a rig belonging to Thomas Blackbeard.⁵

1. The Court Book of Orkney and Shetland 1612-1613, ed. R.S. Barclay (Kirkwall, 1962), 18.
2. See above, p. 157, n. 4.
3. See above, p. 155.
4. Recs. Earldom Orkney, Decree on the Just Division of the Lands of Corigill, 15 Apr. 1601, pp. 174-6.
5. Court Bk of Shetland 1602-4, p. 26.

In all our island areas, as in the rest of Scotland at this time, land was divided into two types: infield (the very regularly cropped lands), and outfield (land only intermittently cropped), although these terms were not used by the writers of contemporary descriptions of islands. These two types of land were not necessarily located in entirely separate sectors of a township, but might lie side by side in neighbouring fields, although infield land was commonly near the coast while outfield land frequently lay on the hillsides. In many islands, including most of Shetland (with a few exceptions such as the fertile Tingwall valley), and a great number of the Western Isles, most of the low-lying land was situated very near the coast; but even in the flatter islands, lands close to the coast were often the most intensively cultivated because of the use of sea-ware as the manure, and in many places the only kind of manure. This had to be carried in containers on human or on equine backs, which was the reason, according to Brand's description of Orkney, why 'the skirts of the isles are more ordinarily cultivated, and do more abound with corns, than places at a greater distance from the sea, where they have not such gooding at hand'.¹

Later writers refer explicitly to infield and outfield land,² but in the works of contemporary seventeenth century authors the distinction is only implied, as, for example, when Martin, discussing the high yield (seven to fourteenfold³) of grain in parts of Harris

1. J. Brand, A Brief Description of Orkney, Zetland, Pightland-Firth and Caithness [1700] (Edin., 1883), 28.
2. E.g. Walker, Economical History, i, 195-6; and Shirreff, General View - Orkney, 56.
3. A normal crop yield in the seventeenth century was probably around or a little above three times the quantity of seed sown in the case of oats, and four times in the case of bear. These were the standard increases used to calculate estimated crop yield in testaments.

and South Uist, explained that this was produced only 'when the season is very favourable or in grounds that have not been cultivated some years before; which if manured with seaware, seldom fail to produce an extraordinary crop'.¹ The low-lying island of Tiree was clearly mainly infield land, for Martin observed that, though it had always been valued for its fertility in grain, 'yet being tilled every year, it is become less fruitful than formerly';² Dean Monro, on the other hand, was referring to the reclamation of outfield hill-land when he wrote of the Lewisman, 'the place quhair he wynis his peittis this yeir, thair he sawis his beir the next yeir; eftir that he guides it well with sea wair'.³

The existence of infield and outfield land in Orkney is demonstrated by an account of the produce grown over the four years from 1684 to 1687 inclusive on the lands of Clestron in the island of Stronsay. In this account the crops borne by nineteen fields are individually listed each year; they show that six fields bore a crop every year, and a further two were cultivated in three years out of the four; by contrast four fields were in cultivation for only one year out of the four and can be confidently classed as outfield land.⁴

There is very little contemporary evidence of the extent to which land was cropped in Shetland in the seventeenth century. In most parts of Shetland arable land was in short supply and confined

1. Martin, Description, 119.

2. Ibid., 294.

3. Monro, Western Isles, 87.

4. Account printed in Marwick, Merchant Lairds, ii, 5-6.

to 'a few ridges nigh to the coasts';¹ every year grain had to be imported because the Shetlanders had 'not so much as serveth to maintain them but must be supplied from the Orkney Isles, and the continent of Scotland'.² With such a shortage of grain, the land was probably cropped as intensively as possible, and it is known that at least one landowner was approaching the problem in a scientific way: James Oliphant of Ure in 1688 set down in writing how his twenty-eight merklands there were to be laboured; each year one third of the land was to grow oats, one third bear, and one third to remain ley (uncultivated) in turn; he concluded with this admonition, 'This way is noe wayes to be altered, it being equally casten and proven [measured] to be right and good for the behoive of corn and fodder. Neyther is ther any more to be broken out from grasse or middew without hart to both'.³

The kinds of grain grown in both the Northern and the Western Isles were very few. In Orkney and Shetland contemporary observers were unanimous in stating that the staple crops were the common oat (sometimes called the black or grey oat from the colour of the husk), and bear or four-rowed barley, which was grown to produce malt for drink and sometimes also barley meal. Brand, writing of the Orcadians, noted that 'Their ordinary grains are oats and barley',⁴ while the

1. Brand, Brief Description, 112.
2. Sir R. Sibbald, Description of the Isles of Orkney and Shetland [1711] (Edin., 1845), 12; see also above, p. 15.
3. Bruce of Symbister, Division of 28 Merklands in Ure, 1688 (GD 144, box 5).
4. Brand, Brief Description, 27.

Rev. James Wallace, minister of Kirkwall, specifically stated in his Description of the Isles of Orkney (c. 1688) that Orkney was 'destitute of wheat, rye and pease'.¹ Of Shetland Sibbald wrote tersely, 'the manured ground produceth only oats and bear'.² The many seventeenth century testaments from both these island groups invariably list only oats and bear as the crops grown, amply confirming the statements of observers.

Oats and bear were also universally grown in the Hebrides. In some islands such as Gigha, Islay and Mull, they were the only crops mentioned in contemporary descriptions,³ but in Lewis, Harris and the Uists, according to Martin, considerable quantities of rye were also grown.⁴ In the case of Harris this is confirmed by John Walker, the author of An Economical History of the Hebrides, who wrote c. 1765 that the inhabitants of Harris 'used to sow a great deal of rye, but have given it up of late years, as they found it prejudicial to their soil'.⁵ The testament of Alexander MacDonald of Paiblesgarry in North Uist, who died in the 1660s, lists among the crops in his inventory twelve bolls of rye besides larger quantities of oats and bear.⁶ Rye, however, was the only other crop whose cultivation was

1. J. Wallace, A Description of the Isles of Orkney (Edin., 1883), 13.
2. Sibbald, Description of O & S, 14.
3. E.g. Martin, Description, 263, 272 and 282.
4. Ibid., 86, 110, 127, 151.
5. J. Walker, Report on Harris, printed in 'An Economical History of the Hebrides' ed. Sir K. MacKenzie, TGSI, xxiv (1899-1901), 138.
6. Ld MacDonald Papers, Testament dative of A. MacDonald of Paiblesgarry, conf. 16 July 1680 (GD 221/106).

at all widespread in the Western Isles.

Nevertheless, there was one island at least in the Hebrides where attempts were made, as early as the beginning of the seventeenth century, to introduce new crops. This was the island of Lismore, where, by an act of Glenorchy's court in 1617, 'evirie tenent, takisman and possessoris of landis or heretages within the boundis of Lesmoir pertening to the laird of Glenurquhy sall saw yeirlie in tyme cuming upoun ilk merkland possessit be thame tua lipies of quhyt [wheat] and that yeirlie in Februar'.¹ A similar regulation had at some time previously been made for the sowing of peas in Lismore, since these are mentioned in the first extant record of the court of Lismore in 1615, and the act was renewed in 1618.² It should be noted that a lippy was a quarter of a peck or one sixty-fourth of a boll, so that the tenants were not being asked to sow very large quantities of peas or wheat. Considerable efforts were made to enforce these regulations in face of the hostility of many of the tenants. The court records of Lismore, which survive from 1615 to 1642, contain convictions for failure to sow both peas and wheat. In 1615 five tenants in Ballimakillichan and seven tenants in Balygrundle, who must have constituted a large proportion, if not all of the tenants of those townships, together with several tenants from other townships in the island, were convicted of not sowing peas. In 1618, the year following the new regulation for the sowing of wheat, eleven tenants in Lismore

1. Breadalbane Muniments, Court Bk Disher & Toyer 1615-20, Court of Lismore, 5 Aug. 1617.
2. Breadalbane Muniments, Court Bk Disher & Toyer 1615-20, Court Of Lismore, 24 Apr. 1615 and 28 Sept. 1618.

were convicted for failure to do so.¹ By 1620, however, most tenants accused of this offence were 'absolved be thair aithes' and, unless any excuses were accepted by the court, must have been attempting to grow wheat.² After 1624, accusations of failure to sow wheat in Lismore ceased, whereas accusations and some convictions for failure to sow peas continued.³ It is reasonable to suppose that attempts to grow wheat in Lismore had been abandoned, rather than to assume that the tenants had all at once decided to grow wheat yet maintained some resistance to peas. No reference to either wheat or peas is found in the earliest extant testaments from Lismore in the last quarter of the seventeenth century; but this may mean only that the quantities grown were considered too trivial to merit entry in the inventory.

The relative quantities of oats and bear grown varied in different islands and districts. In the Western Isles, according to the anonymous description of c. 1577-95, several islands, including Lismore and Lewis, were good for crops but especially good for bear. It does not follow from this, however, that the author implied that bear was the crop most extensively grown in these places; it is probable that he meant only that bear produced the best yield, for he qualified his remarks by referring to the returns on seed sown. In Lewis, for example, he stated that 'thair will grow commonlie 20,

1. Breadalbane Muniments, Court Bk Disher and Toyer 1615-20, Court of Lismore, 24 Apr. 1615 and 28 Sept. 1618.
2. Ibid., Court of Lismore, 17 July 1620.
3. Breadalbane Muniments, Court Bks Disher & Toyer 1620-27, and 1627-57.

18 or at the leist 16 bolls beir yeirlie eftir ilk boll's sawing'.¹ For Lismore there are some forty-five extant testaments from 1675 to 1700, and these indicate that on average for every boll of bear some seven bolls of oats were sown. John MacKalaich in Killenrist, who died in 1699, had sown five bolls of corn (oats) but only half a boll of bear,² while Donald MacIntyre in Auchnacraich in the same year sowed two and a half bolls of oats but again only half a boll of bear.³ It seems improbable that in the course of the seventeenth century the quantity of bear grown underwent a drastic decline, and there is no evidence to suggest that it did.

Testamentary evidence from the late seventeenth and early eighteenth centuries also shows that very much less bear than oats was grown in Seil, Luing, Kerrera and Mull. John Roy MacOlvery in Leccabuy in Luing, whose wife died in 1675, sowed in that year only one firloot (a quarter of a boll) of bear, but three bolls of oats.⁴ Hugh MacDougall in Slatrach in Kerrera in 1676 sowed half a boll of bear and four bolls of oats;⁵ and John MacVaunich in Kilninian, Mull, in March, 1707, had in store four and a half bolls of oats, but only six pecks, or three-eighths of a boll of bear.⁶ It is

1. Skene, Celtic Scotland, iii, 429 and 435.
2. SRO, Commissariat Records of Argyll, Record of Inventories [Argyll Invs.], ii, Inv. of John MacKalaich, conf. 4 Nov. 1700. (cc 2/5/8, fo. 24r).
3. Ibid., fo. 22v, Inv. of Donald MacIntyre, conf. 4 Nov. 1700.
4. Commissariat Records of Argyll, Record of Testaments [Argyll Tests.], i, fo. 157, Test. of Katherine McDougall, conf. 17 Aug. 1676.
5. Ibid., fos. 165-6, conf. 28 Aug. 1676.
6. Isles Invs., Inv. of J. MacVaunich, conf. 16 June 1709 (CC 12/5/1).

clear, then, that in some, at least, of the southern Hebrides towards the end of the seventeenth century oats were a much more important crop than bear. Among the possible reasons for this was the fact that, though barley gave a higher yield than oats, oat straw made better cattle fodder, and that the oat crop was less burdensome to the farmer as the land was not usually manured beforehand as it was when bear was grown.¹

Another anonymous description of some of the Western Isles, attributed to c. 1630, states unambiguously that bear was the main crop in some islands. According to this account barley 'doeth most grow' in Coll, and it predominated also in Barra and the Uists.² Corroborative evidence for North Uist is found in the testament of Alexander MacDonald of Paiblesgarry which has already been referred to, for the crop of 1657 was listed in the inventory and of a total of 200 bolls of grain, two-thirds was stated to be bear, and only one-third corn (oats and possibly rye).³

In neither Orkney nor Shetland does there seem to have been in any parish or island such a marked difference in the relative quantities of oats and bear grown as there was in parts of the Western Isles. Testaments show that in most parts of Shetland there was a tendency for more oats to be cultivated than bear. John in Okraquoy, Cunningsburgh, in 1609 sowed one barrel of oats and half a barrel of bear;⁴ and Laurence Manson in Uyeasound, Aithsting,

1. Walker, Economical History, i, 195.

2. 'Ane Descriptione of Certaine Pairts of the Highlands of Scotland', Macfarlane, Geog. Colls. ii, 175, 179, 181.

3. Id MacDonald Papers, Test. of A. MacDonald of Paiblesgarry, 16 July 1680.

4. O & S Tests., ii, fo. 261r, conf. 26 Sept. 1615.

had sown six lispounds of oats but only four lispounds of bear on his land when he died in 1629.¹ It should be remembered, however, that the greater yield obtained from bear would reduce these differences in proportion. In the island of Papa Stour, in contrast, more bear was grown than oats. John Olason there in 1626 had a crop of twenty thraves of bear, twice as much as his crop of oats,² and Nicol Manson, who died in 1643, had for seed three lispounds of bear but only one lispound of oats.³ The extent of land under each of these two crops is known in one instance - that of Ure in Northmavine - where James Oliphant in 1688 gave orders that one third of the land was to be under oats, one third under bear, and one third to remain ley 'tour about, everie thrid being alyke good'.⁴

In Orkney, as testamentary evidence shows, similar quantities of oats and bear were generally cultivated. From the many extant testaments a few examples must suffice. Donald Groat in Sandwick, South Ronaldsay, had in his barn and barnyard forty-four barrels of bear and forty-eight barrels of oats when he died in November, 1620.⁵ James Grimbister in Grimbister, Firth, sowed in 1668 one meil of bear and one and a third meils of oats,⁶ while Hugh Dinnison in Backaskaill in the island of Sanday, in 1682 had sown six meils each of bear and

1. Ibid., iii, fo. 117r, conf. 20 July 1631.
2. O & S Tests, iii, fos. 14-15, Test. of Sara Andrewsdochter, conf. 7 Aug. 1628.
3. Ibid., v, fo. 21r, Test. of Nicol Manson, Conf. 14 July 1648.
4. Bruce of Symbister, Division of 28 Merklands in Ure, 1688.
5. O & S Tests, i, fos. 62-68, conf. 26 May 1621.
6. Ibid., x, fos. 135-6, conf. 30 Nov. 1670.

oats.¹ The crops obtained between 1684 and 1687 from the lands of Clestron in Stronsay mentioned above confirm the evidence of testaments: in 1684 and 1685 the bear yield (177 and 201 thraves respectively) exceeded the oat yield (158 and 176 thraves), but in the next two years more oats were produced (187 and 138 thraves respectively) than bear (170 and 124 thraves).²

Grain-growing played a varying part in the economy of different islands and island groups. Once again testaments provide most of the available evidence. They illustrate the marked contrast between the roles of grain-growing in the two groups of Northern Isles. In Orkney the amount of grain produced was normally more than sufficient for the needs of the inhabitants. The main item paid by tenants in rent was usually malt or bear,³ and much of this was exported even during the famines of the 1690s when, as a result, Orcadians were in want 'tho then the product of these isles, comparatively, were beyond that of many other places in the kingdom'.⁴ In the parishes and islands of Orkney, testaments show that grain crops generally accounted for around one third of the value of a farmer's inventory. The proportion was consistently lowest in the parish of Stenness in the middle of the Orkney mainland, where on average grain accounted for only about one quarter of the total value of inventories: William Flett in Clouston, who died in 1624, had grain worth £58 out

1. Ibid., xi, fo. 113r, conf. 6 June 1683.

2. Marwick, Merchant Lairds, ii, 5-6.

3. See above, p. 130.

4. Brand, Brief Description, 40.

of a total inventory of £269;¹ John Trochan in Anderswick, whose possessions in 1688 were valued at £112, had oats and bear worth £29.² In the low-lying northerly islands of Sanday and Westray the proportion of inventory values representing grain was highest at around one half of the total. In Sanday, for instance, Steven Muir in Coat in 1618 had a grain crop worth £32 out of an inventory worth only £54;³ John Scott in Burness, who was in much more comfortable circumstances with an inventory valued at £310, had a grain crop worth £170 in 1655.⁴ Nicol Rendall in Tirriclett, Westray, who died in 1682, owned grain valued at £84 in an inventory of £165.⁵

The situation in Shetland was very different. The physical features of the land made grain-growing impossible over large areas. As Brand related, 'at any distance from the sea and in many places also high unto it there is nothing but a mossy and mountainous desert covered with heather';⁶ and Sibbald observed that 'the country affords but little corn, and much of that often shaken by the violent winds, or spoiled with the sea water blowen in upon it'.⁷ The grain grown locally was, as we have seen, never sufficient to feed the population,⁸ except possibly in Dunrossness, where Mr James Kay,

1. O & S Tests., i, fos. 126-7, conf. 11 Nov. 1624; (inventory values given to the nearest pound).

2. Ibid., xiii, fos. 44-45, conf. 19 Mar 1689.

3. Ibid., i, fo. 41v, conf. 20 May 1619.

4. Ibid., viii, fo. 36v, conf. 18 Feb. 1664.

5. Ibid., xi, fo. 112v, conf. 30 May 1683.

6. Brand, Brief Description, 112.

7. Sibbald, Description of O & S, 9.

8. See above, p. 161.

minister there, reported to Sir Robert Sibbald in the 1680s that if none of the locally grown grain had been sold to other parts of Shetland, his parishioners 'would seldom want as much as might serve themselves'.¹ But in Shetland as a whole, contemporary estimates of how far local supplies fell short of needs ranged as low as the statement of Mr Hugh Leigh, minister of Bressay and Burra, that local grain 'would not sustain the third of the inhabitants one year'.²

Shetland testaments show that, in the first half of the seventeenth century, grain crops listed in the inventories of deceased persons in the various parishes and islands accounted for only a small fraction (generally between one fifth and one tenth) of the total value of the inventory.³ This fraction was highest in Dunrossness which had unusually large areas of low, fertile land. John Sinclair in Garth, whose possessions, when he died in 1602, were worth £135, had grain growing on his lands estimated to be worth the remarkably high figure of £56;⁴ Thomas Blackbeard in Scats-house on his death in 1624 had grain valued at £146 out of a total inventory of £576;⁵ and Walter Leisk in Voe in 1632 had grain estimated at the sum of £29 among possessions worth £149.⁶ In Unst and

1. NLS, Sibbald MSS, 'A Description of Dunrossness' by J. Kay (MS 13.2.8 p. 41).
2. H. Leigh, 'A General Geographical Description of Zetland' (n.d. - after 1669), Macfarlane, Geog. Colls., iii, 251.
3. The examples cited from Yell by G. Donaldson, Shetland Life under Earl Patrick (Edin., 1958), 34, are unusually high.
4. O & S Tests., ii, fos. 172-3, conf. 19 Aug. 1613.
5. Ibid., i, fos. 124-5, conf. 20 Sept. 1624.
6. O & S Tests., iii, fo. 163, Test, of Katherine Halcro, conf. 25 Oct. 1633.

Papa Stour also relatively high quantities of grain were grown. Erasmus Silvesterson in Mail, Unst, who died in 1611, owned growing crops valued at £15, although his total possessions were worth only £71;¹ and Andrew Cogle in Papa Stour had in January 1625, by which time some of the previous year's crop must have been consumed, bear and oats worth £24 in an inventory of £160.² At the other end of the scale, in Aithsting and Sandsting in the west mainland, and in Delting in the north mainland, very small amounts of grain were grown. The crop of Laurence Olason in Lie in Delting accounted for less than £10 of an inventory valued in 1611 at £91,³ while Matthew Manson in Wester Skeld, Sandsting, at the time of his wife's death in summer 1629, had an inventory worth £123, of which the estimated value of the crop accounted for under £12.⁴

Over the Hebrides the part played by grain-growing in the economy was very variable. In the fertile islands of Lismore, Kerrera, Seil and Luing, close to the coast of mainland Argyll, late seventeenth century testaments show that crops generally accounted for a quarter to a third of the total inventory value. Donald MacOlvorrich in Kilcheran, Lismore, had in October 1693 crops worth £86, while the value of all his possessions was put at £256;⁵ John Campbell in Leccamore, Luing,

1. Ibid., ii, fos. 61-62, conf. 7 July 1613.

2. Ibid., iii, fos. 23-24, conf. 2 Sept. 1628.

3. Ibid., ii, fos. 102-3, conf. 15 July 1613.

4. Ibid., iii, fo. 116b, Test. of Kath. Reid, conf. 20 July 1631.

5. Argyll Invs., i, Inv. of Mary Nickish, conf. 10 Sept. 1694 (CC 2/5/4 fo. 4r).

possessed in 1691 grain to the value of £47 in a total inventory of £166;¹ and John MacDougall in Slatrach, Kerrera, had crops on his land estimated to be worth £40, and total possessions valued at £151, when he died in 1676.² These proportions are similar to the proportions of grain found in the inventories of many testaments from Orkney, and like most Orcadian tenants, the tenants of Seil and Luing paid a large part of their rent in grain³ as did the tenants of Glenorchy's lands in Lismore until the mid-seventeenth century after which the chamberlain's accounts show that much of the rent was paid in money.⁴

In the hilly island of Mull, in contrast, grain-growing played a much smaller part in the economy. During the famine of the 1690s it was reported by John Clerk, who was one of those responsible for the distribution of relief supplies in Argyll, that the scarcity of victual was particularly acute in Mull.⁵ Early eighteenth-century testaments show that at that time the average value of the crops listed in inventories was under one tenth of the value of the complete inventory. In 1708, for instance, John Lamont in Torrenachterich in the south west of the island possessed crops worth only £13 although his whole possessions were worth some £143;⁶ in the same

1. Ibid., i, Inv. of John Campbell, conf. 21 Aug. 1693 (CC 2/5/2 fo. 17v).
2. Argyll Tests., i, fo. 164r, conf. 28 Aug. 1676 (CC 2/3/1).
3. See above, p. 122.
4. Breadalbane Muniments, Chamberlain's Accounts of Perth and Argyll, 1656-1700.
5. Campbell of Barcaldine, Letter to Barcaldine from John Clerk, 17 May 1695 (GD 170/654/1).
6. Isles Invs., Inv. of J. Lamont, conf. 10 June 1709 (CC 12/5/1).

year Donald MacInnes in Drumhigha in north-west Mull, who had an inventory worth £495, owned oats and bear worth only £32.¹

In the rest of the Western Isles, where few testaments have survived, the picture cannot be so sharply defined. In Tiree, where victual was the most valuable item in the rental of 1662, very large quantities of grain must have been grown.² From Islay a tenant's testament survives from the year 1715; according to this, John MacKerash in Mergadill in Killarow, whose possessions were worth £155, had grain worth less than one sixth of this sum,³ while John Campbell of Ballinaby, whose wife died in 1713, owned oats and bear worth £600, slightly less than one fifth of the value of all his goods.⁴ Two testaments, however, do not provide sufficient evidence to draw firm conclusions.

Skye was among those islands where grain-growing was of considerable importance to the economy. Grain formed part of the rent,⁵ and, according to Martin, 'in plentiful years Skye furnishes the opposite continent with oats and barley'.⁶ In North Uist there must have been an abundance of grain, for Martin related that until the

1. Ibid., Inv. of Catherine Nickcanzie, conf. 13 June 1709 (CC 12/5/1).
2. Campbell, 'An Old Tiree Rental 1662', 343-4.
3. Isles Tests., iii, fo. 5r, Test. of Effrick MacAlpine, conf. 18 Jan. 1727.
4. Isles Tests., iii, fos. 11-13, Test. of Katherine Campbell, conf. 28 Aug. 1728.
5. See above, p. 120.
6. Martin, Description, 197.

scarcity of the 1690s it had been customary for the local population to give barley free for the asking to the many outsiders who flocked there to obtain it.¹ In South Uist, too, much grain was grown in the west of the island where the arable lands lay; these, wrote Martin, yielded 'a good produce of barley, oats and rye, in proportion to that of North Uist'.² About Lewis and Harris there is no detailed contemporary information on this subject.

Besides field crops, vegetables ought also to be mentioned. According to Walker except for meal and (in the eighteenth century) potatoes, the common people of the Highlands, including the Western Isles, were 'still strangers to every sort of vegetable food'.³ It can be shown, however, that in Lismore, Seil and Luing, kail (a form of cabbage) was grown in kailyards. The bye-laws of Lismore required all householders to have kailyards with sufficient dykes, and to plant kail in them each year.⁴ The court records show some convictions for failure to comply with this regulation, but a case in 1638 shows that kail was being planted in the island, for one tenant in Balygrundle brought an action against a neighbour to recover 'iii pund of kaill seid'.⁵ The bye-laws affecting Seil and Luing c. 1660 required tenants and cottars to plant six trees

1. Ibid., 146.

2. Ibid., 151.

3. Walker, Economical History, 1, 98.

4. Breadalbane Muniments, Acts of Glenurchy's Courts, 1615-18.

5. Ibid., Court Bk Disher & Toyer 1627-57, Court of Lismore, 27 July 1638.

in each kailyard.¹

Kail was also grown in the Northern Isles. Both Wallace and Brand related that cabbage, and other vegetables such as turnip, parsnip, carrot and artichoke were very plentiful in Orkney.²

In Shetland, according to Gifford, cabbage was 'much used by the inhabitants', but other vegetables he mentioned only when he was describing the gardens of gentlemen.³ It is certain, however, that even in Shetland more attention was paid to vegetables than in most parts of the Western Isles.

The implements used in agriculture were extremely simple in all the islands. Often they were of similar construction in both the Northern and the Western Isles. For preparing the soil for sowing, the plough was used in most islands. Brand gave this description of Orkney ploughs: they were 'little and light, having only one stilt [handle], and but little iron in them';⁴ an anonymous description of Orkney farming added that the plough was drawn by four beasts abreast preceded by a caller going backwards, and had another man at its side to guide it.⁵ Of the Shetland plough Sibbald wrote, 'their plough socks and culters [are] slender and little; and their labouring

1. Breadalbane Muniments, Acts of Court - Nether Lorne.
2. Wallace, Description Isles of Orkney, 15; and Brand, Brief Description, 36.
3. Gifford, Historical Description, 21.
4. Brand, Brief Description, 28.
5. 'Of the Husbandrie used by the Orchadians', n.d., Macfarlane, Geog. Colls., iii, 324.

is by four oxen, all going in broad band, with a man going before them backward, and the plowman holding his plough by his side'.¹

The primitive plough used in the Hebrides was described in detail by Walker, and this description makes it clear that in essential respects it was very like the plough in use in Orkney and Shetland, except that it was, as we shall see later, pulled by four horses. He added that because of the inadequacy of the mould-board, a man with a spade followed the plough to turn over the turf which had been torn off.²

In the Uists, and probably in some other islands in the Hebrides, the ordinary plough was preceded by a ristle or sickle-plough, described by Martin as 'a thing that cleaves, the culter of which is in form of a sickle; and it is drawn sometimes by one and sometimes by two horses according as the ground is. The design of this little plough is to draw a deep line in the ground, for the big plough to follow, which would otherwise be much retarded by the strong roots of bent.'³ As there is no record of the use of an implement like this in the Northern Isles, it seems likely that the Hebridean plough was weaker than the plough used in Orkney and Shetland.

Not all soil preparation was done by means of the plough. In many Hebridean islands a special type of spade, the caschrom or crooked spade, which according to later writers was a very efficient implement,⁴ was frequently used. In St. Kilda, as the writer of

1. Sibbald, Description of O & S, 18.

2. Walker, Economical History, i, 122-3.

3. Martin, Description, 127.

4. MacDonald, General View - Hebrides, 151-5.

the late sixteenth century description of the Isles related, no ploughs were used; instead the inhabitants 'delvis thair corn land with spaiddis'.¹ This was still true at the end of the seventeenth century.² In Lewis and Harris Dean Monro had observed c. 1549 that there was 'tways mair of delvit nor of teillit land'³ but in North Uist according to Martin tillage was 'commonly by ploughing, and some by digging'.⁴

There were two main reasons for spade cultivation. Firstly, it yielded greater returns than did cultivation by means of the weak Hebridean plough, and this must have been important in those islands where grain was not very plentiful. This aspect of spade cultivation was discussed at some length by Martin who related that 'when the ground is dug up with spades and the turfs turned upside down, and covered with sea-ware, it yields a better product than when it is ploughed'.⁵ The second advantage of the spade was that it could be used to cultivate land too rocky, uneven or heavy for the plough, or on pockets of land too small to justify the use of a plough. In the rocky parish of Uig in the south of Lewis, for instance, Walker reported c. 1765 that there was not a single plough in use.⁶ Spade cultivation used more labour than the plough, but in the seventeenth century proprietors in the Western Isles still judged their power and

1. Skene, Celtic Scotland, iii, 431.

2. Martin, Voyage to St. Kilda, 416.

3. Monro, Western Isles, 86.

4. Martin, Description, 127.

5. Martin, Description, 119; see also p. 86.

6. Walker, Economical History, i, 126.

prestige largely in terms of the number of their retainers, and labour, therefore, was not in short supply.

In the Northern Isles, although the spade was sometimes mentioned as an agricultural implement, and often as a weapon in crimes of violence,¹ there is no evidence that in the seventeenth century it was widely used as an alternative to the plough. In Orkney, where agricultural implements were granted in steelbow in a tack, in all cases seen by the author one or more ploughs were included; spades, however, were seldom listed although other smaller tools such as forks for handling sea-ware, frequently were. In a steelbow tack of 4 pennylands in Walls in Sanday, for instance, Magnus Linklater of Brecknaquoy received a plough, two forks and many other implements, but no spades were mentioned;² and in a note of implements to be delivered by Harry Graham of Breckness to the Laird of Garth and a certain George Sinclair, again ploughs but not spades were included.³

Orkney had many areas of fairly flat land on which the plough would naturally have been used. Shetland, however, had few flat areas of any great extent, and in the eighteenth century, when holdings were subdivided to make room for a large number of crofter-fishermen, the spade was in widespread use. But in the seventeenth century this does not seem to have been the case. In all the legal

1. Donaldson, Shetland Life, 36.
2. Morton Papers, Tack from J. Baikie of Tankerness to M. Linklater of Brecknaquoy, 17 Mar. 1687 (GD 150/2010).
3. Scarth of Breckness, Note of Flenishing to be Delivered, 1669 (GD 217/912).

disputes examined by the author, in the context of soil preparation only the plough is mentioned even when quite obscure people were involved. Such a man was Christopher Johnson in Scatsta, Delting, who was accused of stealing plough irons from the booth of Andrew Gifford of Wethersta in 1602. The plough irons were subsequently seen 'in the said Cristopheris pleuche in Scatsta'.¹ It is possible that at this time spades were used in the Northern Isles mainly in the cultivation of kailyards and for reclamation of outbreks from the hillsides.

After the seed was sown the land was frequently harrowed. The harrow, like the plough, was not of very strong construction, and even the teeth were made of wood. Martin described the harrow of Lewis as having 'wooden teeth in the first second rows, which break the ground, and in the third row they have rough heath which smooths it'.² Because of great scarcity of wood, the St. Kildans had to be content with a harrow which had only a front row of wooden teeth 'and all the rest supplied only with long tangles of sea-ware'.³ A century later, the Orkney harrow was described as 'very small and light...and often furnished with wooden teeth'.⁴ That it was in common use in the seventeenth century is clear from steelbow tacks and testaments. In 1679, for instance, William Groat received along with his tack of Tofts in Sanday two harrows;⁵ and Alexander Hourie

1. Court Bk of Shetland, 18.

2. Martin, Description, 86.

3. Martin, Voyage to St. Kilda, 416.

4. Shirreff, General View - Orkney, 52.

5. Morton Papers, Tack from R. Elphingston of How to W. Groat, 1 Apr. 1679 (GD 150/2020).

in Inkster in Rendall, whose possessions when he died in 1680 were valued at only £71, had plough gear, harrows and other implements to the value of 18/-.¹ Harrows are very rarely mentioned in the seventeenth century records of Shetland, but Thomas Umphray of Sand in either 1693 or 1694 is known to have taken delivery of a new harrow.²

Harvesting was often accomplished by shearing the crop with a sickle, but in some places a more primitive practice - that of plucking the grain (especially the bear crop) by the roots - was followed. This gave longer lengths of straw for animal fodder and thatching but greatly impoverished the soil. The St. Kildans plucked their bear by the roots 'both for the sake of their houses, which they thatch with it, and their cows, which they take in during the winter'.³ In Lewis the practice was universal even in the later eighteenth century.⁴ The bye-laws affecting Seil and Luig, however, specifically forbade the tenants to 'pull or raze any stubble out of his lordship's ground in any tyme cuning'.⁵ But the custom was not entirely confined to the more agriculturally backward parts of the Hebrides, for Brand related how in parts of Orkney (which he did not enumerate) 'they use not to shear their corn, but plucks it up by the roots ... because of the scarcity of fodder to their beasts'.⁶

Before it could be used for baking, the grain had to be ground.

1. O & S Tests., xi, fos. 6-7, conf. 15 Apr. 1681.
2. Bruce of Symbister, Account of T. Umphray c. 1694 (box 2).
3. Martin, Voyage to St. Kilda, 416.
4. Walker, Report on Lewis (TGS, 1899-1901), 128.
5. Breadalbane Muniments, Acts of Court - Nether Lorne c. 1660.
6. Brand, Brief Description, 27.

In Orkney, Lismore, Seil, Luing and Islay, there were in the seventeenth century corn-mills to which the inhabitants of the surrounding districts were astricted i.e. bound to bring their grain to be ground, and obliged to pay multures or mill dues and keep the mill in good repair. Mills were common in Orkney long before 1600, for one of the complaints made against Earl Robert Stewart in 1575 was that of 'taking away suckin [dues] fra the auld uthal mills of Orkney'.¹

The Orkney mills of the seventeenth century were usually the property of some prominent landowner, and in the case of the mill of Risa in Walls, a disposition of 1622 lists the districts in Walls astricted to this mill which was the property of Robert Chalmer of Risa.²

What could be involved in the upkeep of a mill is shown by the bailie court records of St. Andrews and Deerness, where on 15 July 1671 it was ordained that each person who ground his grain at the mill of Sebay was to 'put on[e] person to the milndam of Saba to big the dame' the following Monday.³

In Shetland, on the other hand, there were few mills even at the end of the seventeenth century. As Sibbald noted, 'There are but few milnes here, save hand milnes, called quairns'.⁴ For the small quantities of grain grown in these islands it would not have been worth the expense of erecting new mills.

In Lismore there was a mill at Auchnacraish by 1617 when the

1. Balfour, Oppressions, 10.

2. FRS O & S, 1st series, ii, fo. 52.

3. Bailie Court Bk St. Andrews & Deerness, 15 July, 1671.

4. Sibbald, Description of O & S, 18.

millers, Ewan MacIain, was accused of not leaving the mill in sufficient repair.¹ Some of the tenants of Lismore showed great reluctance to use the mill, for in 1618 and several later years tenants were found guilty of holding querns for grinding corn in their own homes and thus depriving the landlord's mill of dues.² In 1641 this culminated in the miller's accusing all the tenants astricted to the mill of Auchnacraish of refusing to pay mill dues or do service to the mill, and it was decreed that in future tenants were to pay one peck of corn from each three bolls ground besides performing customary repairs.³

Rentals show that there were in the later seventeenth century, if not before, mills in Luing which paid a victual rent to the owner, Lord Neil Campbell.⁴ The 1686 rental of Islay, which lists multures as well as rents, shows that there, too, all the tenants were astricted to mills.⁵ In Barra the description of c. 1630 tells us that there was one mill, but that all the tenants held querns.⁶ In South Uist a mill had been established at some time before 1721, the date of the exchequer rental, which listed a mill-town in the island.⁷ Although some of the smaller islands in the

1. Breadalbane Muniments, Court Bk Disher & Toyer 1615-20, Court of Lismore, 5 Aug. 1617.
2. Ibid., Court of Lismore, 28 Sept. 1618.
3. Ibid., 1627-57, Court of Lismore, 25 May 1641.
4. E.g. Breadalbane Muniments, Rental of Luing, Seil & Nether Lorne 1666.
5. Rental of Islay, Bk of Islay, 490-520.
6. 'Descr. of Certain Parts of the Highlands, Macfarlane', Geog. Colls., ii, 179.
7. Exchequer Records, Rental of S. Uist, 1721.

Hebrides, among them the island of Canna, had no mill as late as 1772,¹ it is clear that the number of mills in the Western Isles was increasing during the seventeenth century. This was the reason given by Martin, writing at the end of the century, why graddan, the old customary way of preparing grain for grinding by burning off the husk in a naked flame rather than by drying it in a kiln, had been 'much laid aside'.² Graddan seems to have been associated with the use of the quern for grinding, and in this way meal could be prepared for consumption in a very short time. Burning off the husk, however, was an extremely wasteful procedure. Nevertheless, it was reported as the only method of grain drying in use in Lewis c. 1765.³ In contrast, remote St. Kilda was reported by Martin to have had a common kiln for grain-drying more than half a century earlier.⁴

We turn now to the animals kept on the farm. Among the arable lands of a township and within the head dyke (where this existed) were some pasture grounds, which often included meadow land. Meadow lands were those which were too wet to grow grain, but which had good natural grass from which hay might be made for cattle fodder. The other pasture among the townland might be strips of grass separating fields, ley land (i.e. potential arable which for some reason^{was} not being cultivated), or land on the hill sides which was

1. Pennant, Tour in Scotland 1772, i, 316.

2. Martin, Description, 244.

3. Walker, Report on Lewis, 128.

4. Martin, Voyage to St. Kilda, 451.

unsuitable for crops.

Natural hay was made on meadow land in Orkney and Shetland.

In Orkney quantities of hay are listed in several testaments including that of Gilbert Flett in Holland in Firth, who had two fathoms of hay worth £3 each when he died in November 1652.¹ But the quantity of hay made in Orkney as a whole was quite inadequate to meet the need for fodder since in 1685 Harry Graham of Breckness and Charles Murray of Hadden, commissioners to parliament for Orkney, petitioned the king's high commissioner in Scotland for abatement of the excise of malt, one of the reasons being that 'the scairsitie of hay and straw and the want of pastures, hills and grassing doeth force the inhabitants to brew for getting draff to feed their cattle, quhich utherwayes could not be maintained'.² Shetland was probably somewhat better off in this respect. Sibbald wrote that the meadow land there was good, and cut at Lammas yielded an abundance of good hay.³ In his description of 1733, however, Gifford noted that 'the people have not the right way of making their hay, nor have they so much dry weather as to make it good'.⁴

In the Western Isles it is probable that hay was made in some places. These included Lismore, for in 1670 a bye-law of Glenorchy's court, on account of the confusion caused by the varying date of Whitsun, ordained that 15 May was to be the date by which all townships which had ley lands within the head dykes were to keep their animals

1. O & S Tests., iv (unfoliated), Test. of G. Flett, conf. 15 Feb. 1653 [no.5]. N.B. A fathom was a measure of quantity of unknown amount.
2. Scarth of Breckness, Petition of H. Graham and C. Murray, 1685 (GD 217/1072).
3. Sibbald, Description of O & S, 15.
4. Gifford, Historical Description, 21.

off meadow ground; in townships with no ley land, tenants were allowed to retain on the townland only plough horses for the preparation of land for bear, a crop which was sown very late.¹ But in Skye and Lewis, according to the eighteenth-century reports of John Walker, no hay at all was made until a few years before his visits there.² Shortage, or indeed, total lack of hay goes far to explain why it was necessary in many places to pluck bear by the roots to provide more fodder for cattle. But even in the places where natural hay was made, this was not supplemented by artificially sown grasses.

In the Northern Isles and in a few of the more southerly islands of the Hebrides, the meadow and grass among the townland were divided among the inhabitants as was the arable. In Orkney and Shetland a little grassland was permanently attached to individual holdings in the form of *toumals*,³ but the rest was often divided among the occupants of the township subject to occasional re-allocation in the same way as the arable land.⁴ Meadows and grass, however, were in Orkney sometimes subject to annual rotation called meadow skift. In Kirbister (Orphir), for instance, the meadows and grass (presumably only land permanently under grass can have been meant here) had before 1690 been divided among the proprietors in an inequitable way. In future it was to go in meadow skift annually.⁵

1. Breadalbane Papers, Court Bk Disher & Toyer 1669-1721, opening acts, no. 74.
2. Walker, Report on Skye, printed in R. MacDonald, 'The Isle of Skye in 1764', *TGSI*, xxviii (1912-14), 116; and Report on Lewis, *TGSI*, xxiv (1899-1901), 127-8.
3. See above, p. 150-1.
4. See above, p. 158.
5. Scarth of Breckness, Perambulation of Kirbister, 1690.

The situation in Shetland is not so clear. In 1602 Thomas Sinclair in Nesting appropriated three furrows of the meadow of Catfirth to his own rig without the advice of the rest of his neighbours.¹ This implies that meadows were or could be divided but only by agreement of all the occupiers in the township.

In Luing and Seil in the south of the Hebrides grass and meadows among the townslands must have been divided among the tenants annually, since the bye-laws stated that they were each year to divide equally the lands of their township which would include some pasture and probably meadow ground as well as arable land.² But in those parts of the Western Isles where cultivation was in common, it is most likely that the pasture among the townsland was also held in common.

Outside the head dyke, or the boundaries of the townsland where there was no head dyke, grazings were held in common by the occupiers of the township. This was the case in all our island areas, no matter how much division of land there was within the townsland. The acts of Glenorchy's courts of 1592 expressed this very succinctly: 'all boundis and lesuris outwith the heid dykis [are] to be common amangis the nychbouris'.³ In Orkney and Shetland the country acts provided for animals belonging to all the occupiers of a township to be put outside the hill dykes on the common moor during the summer months while the crops were growing.⁴ From

1. Court Bk of Shetland, 3.

2. Breadalbane Muniments, Acts of Court - Nether Lorne c. 1660.

3. Breadalbane Muniments, Court Bk Disher & Toyer 1573-1599, (unfoliated), Acts preceding court records for 1592.

4. Court Bks O & S 1614-1615, 27-8 and 66.

Shetland a document of 1667 has survived which describes the boundaries of the common grazings or scattalds of the various townships in Yell. From this it is clear that these boundaries were frequently not marked by a dyke but by some natural feature of the landscape, such as a lochside or a burn, or frequently only by the occasional march-stone.¹

In the Western Isles the grazings outside the townlands were frequently of two kinds: the hill grazing immediately beyond the township, and further away, perhaps at some miles' distance, the summer sheillings in the hills or mountains. The way in which these two types of grazing were used is well demonstrated by the byelaws of Glenorchy's courts (1615-18); one of these laid down that tenants were to put their animals outwith their head dykes after 1st May, there to remain until 8th June; after this date they were to proceed to the sheillings and stay there until 15th July.² It is clear that the nearer hill-pastures were utilised while the bear seed was still being sown,³ after which the people were free to move with their beasts to the sheilling and remain there until farm work recalled them. In Lismore, which was the only major island to which these particular acts applied, hill-pasture was limited, and at the north end of the island some of the population may have migrated instead to the small islands which lay off-shore, for it was

1. 'The Scattald Marches of Yell, Shetland, 1667, by Gilbert Neven, bailie of Yell', ed. R.S. Bruce, Old Lore Miscellany, xi (London, 1933), 140-8.

2. Breadalbane Muniments, Acts of Glenorchy's Courts 1620-27.

3. See above, p. 185.

reported c. 1630 that these isles were occupied in summer by men and women with cattle, sheep and goats.¹ Indeed, one of the small islands north of Kismore is called Eilean nan Caorach - Sheep Island.

Transhumance was reported in Lewis at about the same time by Captain Dymes, who observed that 'the most part of the comon people in the sommer they remaine on the hills to graze theire cattle'.² In North Uist, too, there is contemporary evidence for the practice in the shape of a declaration about a tack of the six pennylands of Oronsay and two of the three pennylands of Robach granted to Kenneth MacQueen, notary public, by Sir Donald MacDonald of Sleat in 1619. The pertinents of each of these places included 'the grassing and shealings thereof', and the tack also granted MacQueen the grazing and sheilling of Ard nam Madadh in the west of the island.³

The custom of removing to summer sheillings was, then, widespread in the Hebrides in the seventeenth century, and must have been the reason why contemporary documents sometimes refer to townships as wintertouns.⁴ Sheillings must have been of particular value to those townships which did not have head dykes, and where, without the removal of the larger farm animals to pastures far from the arable land, the growing crops would have been extremely difficult to protect. Contemporary documents from Orkney and Shetland do not refer to any similar practice, although this does not prove that it never occurred. Many of the Orkney islands, however,

1. 'Description of Certain Parts of the Highlands', Macfarlane, Geog. Colls., ii, 155.

2. Dymes, 'Description of Lewis 1630', 592.

3. Ld MacDonald Papers, Declaration anent a tack, n.d. (GD 221/106).

4. E.g. Breadalbane Muniments, Acts of Court - Nether Lorne c. 1660.

did not have extensive hill pasture; and in Shetland, although the landscape is dominated by hills, no place is much more than three miles from the coast, near which most settlements were situated; moreover, as we shall see later, in the summer months fishing was a very important occupation.

In the Western Isles, with the migration of most of the tenants of a township to the sheilling in the summer, few, if any, animals remained behind on the townland. One of the bye-laws affecting Lismore stated that tenants were to put all their cattle, horses and sheep beyond the head dykes after 1st May annually, the only exceptions being a cow too weak to walk or a milch-cow required for a sick person who remained behind in the township.¹

In the Northern Isles where people remained in the townships over the summer and thus were able to supervise animals grazing on or near the townlands, more of the farm animals also remained behind. The country acts did not provide for the compulsory removal of animals from the townlands in summer except in the case of swine which could do enormous damage to crops by rooting. There was, however, to be 'keiping and hirding' of sheep and 'keiping' of horses and cattle.² The bailie court book of St. Andrews and Deerness shows that practices varied from place to place, probably according to local facilities. Some townships had special areas within the dykes reserved for sheep; in April 1667 the court ordered the sheeprights of Linksness and Yinstay respectively to be erected by the beginning

1. Breadalbane Muniments, Court Bk Disher & Toyer 1620-27, opening acts.

2. Court Bks O & S 1614-1615, 27-28 and 66.

of May and all the occupiers' sheep to be put in. In March 1671, however, all the people of Foubister were ordered to send their sheep to the hill within forty-eight hours. Instructions were also given respecting cattle and horses: in June 1666 it was laid down that no horses were to be within the dykes unless they were staked and tethered 'soe longe as the corn is on the ground'; and in March 1668 parishioners were ordered 'to put all their bestiall to hirdes and thair horses on tether' before 10th May.¹ It should be noted that these regulations do not imply that all horses and cattle were kept on the townlands in summer. It would be to the advantage of the local population to conserve the townland pasture for winter feeding, and probably only essential animals such as work-horses for carrying peats etc. and milch-cows were kept within the township in the summer months. In Shetland the many uninhabited islands or holms with their rich grass provided additional pasture for the sheep of the large landholders who usually owned them. In the holms of Greena, Flotta and Hogs of Hoy in the mouth of Weisdale Voe, for instance, Robert Sinclair of Brough had 400 sheep when he died in 1616.² The importance of holms as pasture (and also as breeding places for birds) can be gauged from the fact that there was a country act forbidding anyone to enter another man's holm on any pretext whatever without leave of the owner.³

1. Bailie Ct. Bk St. Andrews & Deerness 1665-1674.

2. O & S Tests., iii, fos. 1-3, conf. 25 Mar 1628.

3. Court Bks O & S 1614-1615, 65-66.

What kind of animals were kept on the farms? Here, once again, the different island groups had much in common. Horses, cattle and sheep were universally kept, and swine were also frequently found. With the exception of Shetland cattle which Sibbald, among other contemporary writers, noted were 'of a considerable size ... greater than these of Orkney, or in some of the northmost places of Scotland',¹ they were all recorded as being small species. Referring to Orkney, Brand stated, 'Their horses, kine, sheep, lambs etc. are of a lesser size then with us [i.e. in the lowlands]', and of Shetland he observed that the horses were particularly small.² In the Hebrides Martin frequently mentioned the small size of the domestic animals. In Colonsay, for example, he referred to 'cows, horses and sheep, all of a low size', and of North Uist he wrote, 'The cattle produced here are horses, cows, sheep and hogs, generally of a low stature.'³

The small size of domestic animals was attributed by later agricultural writers to two causes. Firstly, there was the breed: in the case of sheep the indigenous species of Orkney, Shetland and the Hebrides was the same - the short-tailed variety also found in Iceland;⁴ in the case of horses, Walker suggested that the breed found in the Northern and Western Isles was the same and was probably introduced from Norway.⁵ The second reason given for the small size

1. Sibbald, Description of O & S, 22.
2. Brand, Brief Description, 29 and 113.
3. Martin, Description, 139 and 280.
4. Shirreff, General View - Orkney, 132-3.
5. Walker, Economical History, ii, 158.

of farm animals was the physical conditions in which they were kept. The breed of Hebridean horses, it was said, resembled that found in all countries of similar climate and surface in small size and hardihood,¹ while the cattle of Orkney were said to be small partly because they were starved in the winter when young.²

Contemporary documents say little about how the numbers and kinds of animals on a farm were regulated. It is probable that in some places souming was practised as it certainly was in many areas in the eighteenth century. Souming was the practice of setting limits on the number of cows permitted on a particular denomination of land, and defining the number of other animals which might be kept in terms of cows. Thus Pennant, writing in the later eighteenth century, related that the number of cows per pennyland allowed in Rhum was twenty-eight; instead of some of the cows, sheep might be kept at the rate of ten per cow, and horses at the rate of one instead of two cows. He noted, however, that these regulations were often broken.³ In Luing and Seil there is a hint that souming was in force in the later seventeenth century, for the bye-laws allowed tenants, with the consent of the landlord, to keep a soum of five goats in place of one cow.⁴ A version of the country acts of Shetland limited swine to four on each last of land (eighteen merklands),⁵ and in Orkney several testaments from the island of

1. MacDonald, General View - Hebrides, 468-9.

2. Shirreff, General View - Orkney, 126.

3. Pennant, Tour in Scotland 1772, i, 321.

4. Breadalbane Muniments, Acts of Court - Nether Lorne c. 1660.

5. Morton Papers, Breviate of the Country Acts of Shetland [1675?], (GD 150/2527).

Sanday list sheep in terms of their equivalent value in cows. For example, the testament of Margaret Work, wife of James Fotheringham there, included eleven sheep and 'another kow gild of sheip being seaven'.¹ But whether there was any strict limitation on the number of sheep permitted in Sanday, or indeed on the number of cattle and horses permitted there or in any other of our island areas in the seventeenth century, is not certainly known.

Horses in particular suffered from the general shortage of winter fodder and shelter. In Orkney they were probably stabled at least in winter, since Shirreff, writing around 1800 but reporting on the care of horses at some indefinite time in the past, stated that they were.² In many other places, however, horses were not stabled. Of horses in Shetland Brand wrote, 'Summer or winter they never come into an house, but run upon the mountains.' If they could find no other food they came down to the shore to eat sea-ware, but even with this resource they grew so weak in winter that they did not fully recover their strength until the end of June.³ Martin described the plight of horses in several of the Western Isles including Skye where they were 'exposed to the rigour of the season during the winter and spring; and though they have neither corn, hay, or but seldom straw, yet they undergo all the labour that other horses better treated are liable to'; his description of horses in North Uist reiterates these points.⁴

1. O & S Tests., xi, fo. 89r, conf. 14 July 1682.

2. Shirreff, General View - Orkney, 142.

3. Brand, Brief Description, 117.

4. Martin, Description, 139 and 207.

Horses were kept in considerable numbers in both the Western and the Northern Isles. An examination of seventeenth century testaments shows that in Orkney a large landowner like Harry Graham of Breckness, whose wife died in 1686, might have about twenty horses and mares (Harry Graham had eighteen),¹ while most small farmers had between two and four. William Halcro in Gairry, South Ronaldsay, who died in 1617, had two horses worth £10 each, although his total goods were worth only £49;² Adam Spence in Gorn, Sandwick whose possessions were worth £183 on his death in 1650, owned three horses;³ and Oliver Spence in Aith in Stronsay whose inventory in 1682 totalled £120, had two horses and two mares.⁴

In Shetland most small farmers had only one or two horses: typical examples are Hercules Magnusson in Channerwick (Sandwick), who had total possessions valued at £79, including one horse worth £5, when he died in 1614;⁵ and Ola Peterson in Basta, Yell, who was the owner of a horse and a mare worth altogether £11, when he died in 1645 in possession of goods to the value of £117.⁶

In the Western Isles, the numbers of horses kept by tenants varied from one place to another. In the small islands off the coast of Argyll it was usual for a tenant to have only one horse and few had more than two: Archibald MacIlchomich in Auchnacraish,

1. O & S Tests., xiv, fo. 33r, Test. of Euphame Honeyman, conf. 28 Nov. 1688.
2. O & S Tests., i, fos. 34-35, conf. 6 Feb. 1619.
3. Ibid., iv, Test. of A. Spence, conf. 5 Nov. 1650 [no. 3].
4. Ibid., xi, fo. 88, conf. 10 July 1682.
5. Ibid., ii, fos. 250-1, conf. 12 Aug. 1615.
6. Ibid., v, fo. 32v, conf. 19 Aug. 1648.

Lismore, had one old horse worth £4 in an inventory worth £109 when he died in 1699;¹ Malcolm MacBryan in Leccabuy, Luing, whose inventory was valued at £100 in 1690, also had one old horse;² but Hugh MacDougall in Slatrach, Kerrera, who had goods worth £119 in 1676, had two little mares.³ In Mull, however, tenants frequently possessed three or even more horses; John MacVaunich in Kilninian, whose inventory in 1707 totalled £153, had three horses,⁴ as did Donald MacRory VicWilliam in nearby Tostarie, whose whole possessions in 1708 were worth only £66.⁵ John MacEachern in Beach in southwest Mull, whose goods in 1708 were worth £202, had as many as seven horses.⁶

That more horses were kept by farmers in Orkney than in Shetland probably reflects the fact that arable husbandry was much more important in Orkney than it was in Shetland. More manure would be needed, and there was more grain to be carried home after the harvest. Statistical evidence is lacking over most of the Western Isles, but the contrasting situations in the small islands off the coast of Argyll on the one hand, and in Mull on the other, suggest that the availability of hill pasture may have been the

1. Argyll Invs., ii, Inv. of A. MacIlchomich, conf. 4 Nov. 1700 (CC 2/5/8 fo. 22v).
2. Ibid., i, Inv. of M. MacBryan, conf. 21 Aug. 1693 (CC 2/5/2 fo. 17v).
3. Argyll Tests, i, fos. 165-6, conf. 28 Aug. 1676.
4. Isles Invs., Inv. of J. MacVaunich, conf. 16 June 1709, (CC 12/5/1). N.B. Inventory total of £73 in this document is an error.
5. Isles Invs., Inv. of Donald MacRory VicWilliam, conf. 16 June 1709 (CC 12/5/1).
6. Isles Invs., Inv. of J. MacEachern, conf. 7 June 1709 (CC 12/5/1).

crucial factor determining whether many horses could be kept on a farm. In the small islands mentioned, hill pasture was relatively much less plentiful than in Mull with its extensive hilly interior. If this were, indeed, the key factor, the majority of Hebridean islands would, like Mull, have had a plentiful supply of horses.

The work done by horses on the farms had many common elements throughout our island areas. Because of the unevenness of the ground and the complete lack of roads over most of the islands it was impossible to use carts. Goods had to be carried in containers on the backs of men, women and horses. Horses carried sea-ware for manure, peats for fuel, harvested grain, and generally anything bulky which had to be transported.¹ In addition even the tiny Shetland ponies were ridden: as Brand reported, they were able to negotiate bogs where heavier horses would sink and were very nimble, leaping ditches and climbing hills while carrying heavy riders on their backs.²

All over the Western Isles horses were also the only animals used to pull the plough. Seventeenth and eighteenth century descriptions of the Hebridean plough and ristle always state that the draught animals were horses.³ Estate records never mention oxen but always horses in connection with agricultural work. For example, a warrant issued by the Earl of Argyll to his factor in Luìng and Nether Lorne in 1655 related that the latter had delivered

1. E.g. Brand, Brief Description, 28; Breadalbane Papers, Acts of Glenorchy's Courts 1615-18 no. 13; and Donaldson, Shetland Life, 30-31.

2. Brand, Brief Description, 117-8.

3. See above, pp. 175-176.

a horse to Duncan Roy MacOlea in Kilchattan, Luing, 'for inabling him to labour the land'.¹ The use of horses for ploughing was, no doubt, a long established practice there, for in the rental of 1666 four merklands were called a ploughgang, and one merkland a horsegang.² It was stated in the General View of the Agriculture of the Hebrides that the uneven surfaces of many of the islands would have rendered oxen unsuitable as draught animals;³ this, however, was not the case in Lismore, where horses were also used; moreover, in Shetland whose surface is also often uneven oxen were used for the plough. Tradition was, then, probably the chief reason for the exclusive use of horses for the plough in the Western Isles.

Some of the poorest people in the islands did not possess a horse, but there were few who did not have at least one sheep to provide them with wool, meat and sometimes milk.⁴ Like the horses, sheep were often left in the open to fend for themselves. According to Brand, Orkney sheep were generally wild, and when necessary were caught by trained dogs;⁵ Sibbald had the same to say of Shetland sheep.⁶ In Orkney and Shetland, however, there were no foxes, whereas in the Western Isles, except in the Outer Hebrides, the fox was prevalent. It was noted, for example, in the earlier

1. SRO, Campbell of Jura Papers, Warrant to Duncan Campbell, 24 Feb. 1655 (GD 64/2/6).
2. Breadalbane Muniments, Rental of Luing, Seil and Nether Lorne 1666.
3. MacDonald, General View - Hebrides, 432.
4. Gifford, Historical Description, 22.
5. Brand, Brief Description, 29.
6. Sibbald, Description of O & S, 22.

seventeenth century that in the island of Kerrera the many large-sized foxes took a heavy toll of sheep and lambs,¹ and in some places sheep may have been housed for protection, for this practice was reported from Skye in 1764.² In the Northern Isles wool was removed from the sheep's back not by shearing but by pulling it off or rooing. This practice was forbidden by the Privy Council in 1617 because it was thought to be cruel and harmful to the sheep, but the ban was lifted in 1619 after an investigation which showed that the sheep of the Northern Isles shed their coats naturally every year (as, indeed, the native Shetland sheep still does).³ There is no contemporary evidence from the Western Isles on this subject, but it is certain that plucking wool from the sheep's back was the custom in some islands, for it was still done in Lewis c. 1765.⁴

In the Western Isles some goats were also kept. Goats were able to reach mountain pasture inaccessible to other domestic animals, and this type of ground is found on several Hebridean islands; furthermore, they were not so vulnerable to the fox as were the sheep. In the Northern Isles, where there were neither mountains, as opposed to hills, nor foxes, goats were not kept.

The numbers of sheep and goats kept by farmers varied widely,

1. 'Notes and Observations of Dyvers Parts of the Hiellands and Isles of Scotland' n.d., Macfarlane, Geog. Colls., ii, 528.
2. Walker, Report on Skye, 117.
3. RPC, xi, 67-8; and xii, 111-2.
4. Walker, Report on Lewis, 128.

but certain patterns can be detected. In this respect, as with the importance of grain growing to the economy, Orkney and the small islands off the coast of Argyll had much in common. In both areas most small farmers had not more than ten sheep, or sheep and goats together. In Orkney Norman Matches in Savil, Firth, who died in 1619 with possessions worth £87, had eight sheep,¹ as did Walter Scott in Sands in Shapinsay, whose goods were valued at £131 when he died in 1683;² William Birstane in Cletts in South Ronaldsay, although his inventory in 1635 amounted to £117, owned only two sheep.³ Turning to the Argyll islands, we find that Duncan Roy MacOcannonich in Clacleac, Lismore, who died in 1696 in possession of goods worth £103, had six sheep;⁴ Dugald MacDugald in Ardlarach, Luing, whose possessions were worth more than twice as much on his wife's death in 1694, had ten sheep and goats;⁵ and John MacInnes in Seil (inventory £172) in 1688 had only three sheep.⁶ The small numbers of sheep and goats kept by farmers in these areas is most probably explained by the nature of ^{the} pasture.

In contrast, in Mull and the various islands of Shetland, where pasture was plentiful, many small farmers had from ten to twenty sheep or sheep and goats together. In 1708 Angus MacOnlea in Mishinish,

1. O & S Tests., iii, fos. 42-43, conf. 9 May 1629. N.B. the value of a sheep in 17th century testaments was c. £1.
2. Ibid., xi, fo. 115r, conf. 27 June 1683.
3. Ibid., iii, fo. 256r, conf. 4 Oct. 1637.
4. Argyll Invs., i, Inv. of D. MacOcannonich, conf. 6 May 1697 (CC 2/5/4 fo. 46v).
5. Argyll Invs., i, Inv. of Kath. NicDugald, conf. 8 Oct. 1694. (CC2/5/4 fos. 34-35).
6. Ibid., Inv. of John MacInnes, conf. 22 Aug. 1693 (CC 2/5/2 fo. 20r).

whose possessions were valued at £112, had fourteen sheep and goats,¹ while Hector Maclean in Tavool on the north side of Loch Scridain owned twelve sheep and four goats, although the total value of his inventory was only £46.² Similarly in Shetland, although the average number of sheep kept by occupiers of land in some areas (e.g. Unst and Fetlar) was lower, in most parishes and islands it was between ten and twenty. Laurence Erickson in Breck in Delting, who died in 1613, had an inventory of £84 which included twenty sheep;³ James Inkster in Sandwick, Burra, owned fourteen sheep among possessions worth £68 in 1615;⁴ but Laurence Manson in Setter, Unst, had only four sheep although the value of all his goods, when he died in 1625, was £111.⁵ Some of the large landowners in Shetland had very big flocks of sheep: Robert Sinclair of Brough, who died in 1616, had over 3000,⁶ and Andrew Gifford of Wethersta, who died in 1620, had nearly 900.⁷ These numbers are greatly in excess of any recorded either in Orkney or the Western Isles. In Orkney the largest flocks appear to have been around 300 strong: James Stewart of Burray, for instance, had

1. Isles Invs., Inv. of A. MacOnlea, conf. 18 June 1709 (CC 12/5/1).
2. Ibid., Inv. of H. MacLean, conf. 7 June 1709 (CC 12/5/1).
3. O & S Tests., ii, fo. 100r, conf. 15 July 1613.
4. Ibid., ii, fo. 260r, conf. 23 Sept. 1615.
5. Ibid., i, fo. 181r, conf. 19 July 1627.
6. Ibid., iii, fos. 1-3, conf. 25 Mar. 1628.
7. Ibid., i, fos. 54-55, conf. 3 Nov. 1620.

295 sheep in 1622.¹ In the Hebrides the largest recorded number of sheep owned by one man in the seventeenth century was also 300 - the size of the flock belonging to Hugh MacDonald of Glenmore, Skye, who died in 1696.² There is, however, no extant information concerning the possessions of any of the seventeenth century Hebridean chiefs.

We have seen from the country acts of Orkney and Shetland that swine were also commonly kept on farms.³ Testaments indicate that about half the families in the Northern Isles had swine, but this may well be an underestimate of the true situation, for the value of swine was small and may have been omitted in some testaments. Usually only one or two fully grown swine were kept by a household: Walter Scott in Sands in Shapinsay (Orkney), who has already been mentioned as owning eight sheep, also possessed a sow and a year-old grice worth £1;⁴ and Harry Robertson in Bardister, Walls (Shetland), who died in 1649 in possession of goods worth £112, had one sow and two grice also valued at £1.⁵ In parts of the Western Isles swine may not have been reared. Extant testaments from Lismore, Kerrera, Luing, Seil and Mull (1670-1715) do not mention swine. Indeed, in Lismore they were specifically forbidden by one of the acts of Glenorchy's courts.⁶ But swine were recorded by Martin

1. O & S Tests., i, fo. 140r, Test. of Janet MacLeod, conf. 22 Apr. 1625.
2. Id MacDonald Papers, List of the Moveables of late Hugh MacDonald of Glenmore, 28 Aug. 1714 (GD 221/7).
3. Court Bks O & S 1614-1615, 27-28 and 66.
4. O & S Tests., xi, fo. 115r, conf. 27 June, 1683.
5. Ibid., v, Test. of H. Robertson, conf. 28 Aug. 1649 [no.8].
6. Breadalbane Muniments, Acts of Glenorchy's Courts 1615-18.

among the domestic animals of Skye, the Uists and Lewis.¹

Poultry must have been very widely kept, although their value was so small that apart from geese they were not listed in testaments. But in Orkney, Shetland and the Western Isles hens frequently were among the casualties which formed part of the rent of land.

Domestic geese are recorded only in the Northern Isles. In Orkney they are listed in some testaments; Nicol Garriock in Easterbister, Holm, for instance, had seven geese worth £2-2/- among total possessions of £82 when he died in 1663.² In Shetland geese do not occur in extant testaments, but The Court Book of Shetland 1602-1604 mentions several thefts of geese all in the parish of Dunrossness.³ It is possible that they were not widely kept elsewhere in Shetland.

In all our island areas the domestic animals most valuable to the farming economy were the cattle. In many places they received rather better treatment than the other domestic animals in terms of food and shelter. The reason for this was succinctly expressed by Gifford who explained the lack of care of sheep and horses as due to the fact that 'the poor inhabitants, having used their utmost endeavours, can scarce find food and shelter for their oxen and cows, without which they could not live'.⁴ Gifford was writing of

1. Martin, Description, 92, 139 and 207.

2. O & S Tests., viii, fos. 90-91, conf. 5 Dec. 1664.

3. Court Bk of Shetland, 29 and 89.

4. Gifford, Historical Description, 23.

Shetland, but his statement could apply almost as well to Orkney and the Western Isles. A case of the theft of a cow from Robert Cursetter's byre in Overcursetter, Firth, in 1633, shows that cattle were also given shelter in Orkney.¹ In some of the most exposed of the Western Isles the same was true. All the inhabitants of North Rona, according to Martin, had separate houses for their cattle, while in St. Kilda he related that the beds in houses were usually recessed in the walls in order to make room for the cattle which were taken in during the winter and spring. In Skye, however, it seems that this was not the custom, for cows as well as horses were 'exposed to the rigour of the coldest seasons, and become mere skeletons in the spring, many of them not being able to rise from the ground without help'; and in North Uist, too, Martin mentioned that the cattle remained in the open fields all the spring.² The weakness of cattle after the ordeal of winter was recognised by the bye-laws affecting Lismore, which provided for herds to attend cows which were too weak to travel to the head dykes in the spring.³

In the Northern Isles the cattle included oxen used to draw the plough. Horses may have been used occasionally, but there is no written evidence of this in the seventeenth century. The anonymous description of the husbandry of Orkney and Sibbald's account of ploughing in Shetland both refer to oxen as the draught

1. O & S Papers, Trials for Murder and Theft - Trial of James Smith, 14 Feb. 1633 (RH 9/15/152).
2. Martin, Description, 102, 139, 207-8 and 314.
3. Breadalbane Muniments, Acts of Glenorchy's Courts 1615-18.

animals.¹ According to the testaments, most householders in Shetland possessed at least one ox; in Orkney approximately half the seventeenth century testaments mention oxen, and it is possible that in some other cases oxen are included among the other cattle listed.

Cattle provided the farmer with several valuable commodities (dairy products, meat and hides) for the use of his family or to meet part of his rent or other land duties. Of all our island groups, Orkney was the one where cattle made the smallest contribution to the economy. Testamentary evidence shows that the average value of the cattle (other than oxen) in the various parishes and islands of Orkney was between about one sixth and one quarter of total inventory values. The small farmer with possessions worth up to £150 usually had from one to five cows worth about £6 each besides a few young cattle. John Brown in Brockan, Birsay, a humble man with possessions valued at only £58, had one cow, one quoyack (heifer) and one stirk (yearling) worth altogether £10 when he died in 1626.² John Cromartie of Hallbreck in South Ronaldsay (inventory £165 in 1670) had five cows worth £36.³ Patrick Herrauld in Knarston, Rousay, who had goods worth £142 when he died in 1680, owned four cows and had a half share in two quoyacks, the total value of all these being £27.⁴

1. See above, p. 175.

2. O & S Tests., i, fo. 194r, conf. 29 Jan. 1628.

3. O & S Tests., x, fo. 153r, conf. ...1671.

4. Ibid., xi, fo. 97r, conf. 22 Aug. 1682.

Although the main commodity by which rent was paid in Orkney was usually grain, sometimes it was butter, and flesh (meat) was often a subsidiary item of landmails; butter was, in addition, a regular part of scat duty and often also of feu duty.¹ Thus even in Orkney, cattle were of considerable importance to the economy. It should be mentioned that observers noted both in Orkney and in Shetland that rent and scat butter, as opposed to that consumed in the home, was carelessly made and notorious for its bad quality.²

In Shetland testaments show that the value of the cattle (again discounting oxen) in the inventories of deceased persons was usually between a quarter and a third of the total value of the inventory. The small farmer with an inventory worth £150 or less seldom had less than two fully grown cows, and regularly possessed up to six. These, it will be remembered, were larger than the cattle of Orkney and were usually worth some £8 each. Magnus Olason in Channerwick (Sandwick), who in 1603 possessed goods worth £90, had four cows worth £28.³ David Manson in Hoversta in Bressay, whose wife died in 1612, owned four cows, two quoyacks and a stot (bullock) worth altogether £45 out of a total inventory of £128.⁴ James Sinclair of Bullister, a much wealthier man, with possessions worth £731 in 1623 had twenty-three cows, two bulls and a number of young cattle worth some £243.⁵ The value of cattle to the economy of Shetland

1. See above, pp. 52 and 130.

2. Brand, Brief Description, 30; and Gifford Historical Description, 22.

3. O & S Tests., ii, fos. 168-9, conf. 16 Aug. 1613.

4. Ibid., ii, fo. 154r, Test. of Marion Erasmusdochter, conf. 3 Aug. 1613.

5. Ibid., i, fos. 151-2, Test. of Janet Sutherland, conf. 2 Sept. 1625.

is reflected in the scat, feu duty and rent paid for land. Butter was the chief commodity in which all of these duties were payable.¹

It was in the Western Isles, however, that cattle were of the greatest importance to the economy. Even in the small islands off the coast of Argyll, where, as we have seen, large quantities of grain were grown, cattle accounted for around half of the value of inventories of deceased persons. Duncan Oig MacDougall in Carnban, Seil, whose inventory in 1675 was worth £200, had six mature cows, besides two two-year-olds and two stirks, all valued at £88,² (highland cattle were valued at around £13 each in the testaments of the late seventeenth and early eighteenth centuries). Hugh MacDougall in Slatrach in Kerrera owned five cows worth £67 among possessions worth £119 in 1676.³ Hugh MacIlmichel in Clacleac, Lismore, had an even higher proportion of his wealth in the form of cattle: he had eight cows worth altogether £107 in an inventory of only £184 when his wife died in 1690.⁴

In Mull, where it has been shown that proportionately little grain was grown, the value of cattle in the extant testaments and inventories of our period comprises on average some two thirds of the total inventory value. Typical examples are the inventories of Allan MacEachern in Carsaig in south Mull and Malcolm MacOnlea in Killichronan in the middle of the island, both of whom died in 1708.

1. See above, pp. 52 and 113.

2. Argyll Tests., 1, fo. 156r, conf. 15 Aug. 1676.

3. Ibid., 1, fos. 165-6, conf. 28 Aug. 1676.

4. Argyll Invs., 1, Inv. of Mary NicTavish, conf. 11 Sept. 1694 (CC 2/5/4 fo. 5v).

MacEachern's inventory was worth £127, of which £81 was the value of five cows and three young cows.¹ MacOnlea had possessions worth £227, among which were eight mature cows and six young ones valued altogether at £168.²

A few testaments of wealthier men have survived from other islands in the Hebrides, and these provide the best available evidence of the relative importance of cattle to the economy of these islands in the late seventeenth and early eighteenth centuries. They are, however, isolated examples and may, therefore, be atypical; moreover, it is not known whether these testaments reflected a pattern of farming similar to that of the small tenant, or whether there were significant differences. From Islay the testament of Katherine Campbell, wife of John Campbell of Ballinaby, who died in 1713, shows that they owned sixty full-grown cows and twenty young cows worth some £1100, almost one third of the total value of their possessions.³ Some time before, John Morison of Bragar in Lewis died leaving possessions worth £722, of which £442 (over three fifths) was the value of his forty-two mature cows and fifteen followers.⁴ Alexander MacDonald of Paiblesgarry, North Uist, left forty-four cows and thirty-seven followers worth £548 on his death in the 1660s, but this accounted for less than a sixth of the total value of his inventory; grain, on the other hand, made up one third

1. Isles Invs., Inv. of A. MacEachern, conf. 9 June 1709 (CC 12/5/1).

2. Ibid., Inv. of M. MacOnlea, conf. 17 June 1709 (CC 12/5/1).

3. Isles Tests., iii, fos. 11-13, Test. of Kath. Campbell, conf. 28 Aug. 1728.

4. Isles Tests., Test. of J. Morison of Bragar, conf. 11 Feb. 1711 (CC 12/4/1).

of the total.¹ We have already seen that North Uist produced grain in plenty;² despite this, however, the proportion of MacDonald's inventory accounted for by cattle was exceptionally small compared with the proportions found in testaments from other Hebridean islands.

There is abundant corroborative evidence of the importance of cattle to the economy of many islands in the Hebrides. We have seen that in most parts of the Hebrides in the later seventeenth and early eighteenth centuries a large proportion of rent payments were supposed to be made in money.³ They were, in fact, often made in the form of cows. An account of 1674 of the money and goods uplifted by Lachlan MacLean of Broloss as part of the rent of the Duart estate shows that besides some money, a large number of cows were collected (seventy-eight from the lands of Torosay in Mull alone) although cows were nominally not payable in rent on this estate.⁴ Similarly both cows and money were paid in rent by the tenants of Colonsay in 1689 when the proprietor, the Earl of Argyll, wrote to John Campbell, son of the bailie of Jura, noting that the latter had 'gottine up some money and fourtie kowes from the temments of Collonsay in the first end of ther rent'.⁵ Not only small

1. *Ld MacDonald Papers*, Test. of A. MacDonald of Paiblesgarry, conf. 16 July 1680 (GD 221/106).

2. See above, p. 173.

3. See above, pp. 119-122.

4. *Highland Papers*, i, 293-5.

5. Campbell of Jura, Letter from Argyll to John Campbell, 15 Oct. 1689 (GD 64/2/16).

tenants but even large proprietors could be seriously affected by the loss of cattle, as was Sir Donald MacDonald of Sleat when, in 1695, he wrote to his lawyer in Edinburgh that 'my loss of my own personall cows, and break of some pettie fellows to whom the tennants trusted their cows' had forced him to reduce the payments he was making to his mother, brothers and creditors.¹ Sir Donald had been doubly unfortunate, losing both cows sold on his own account and, it seems clear, rent payments from those tenants who had also lost their cows.

Our review of seventeenth century farming in the Northern and Western Isles has shown that, despite considerable differences between them in the pattern of land ownership and land tenure, in the pattern of agriculture there were certain basic similarities. The most important of these was the farming township - the settlement, generally with its houses and arable land near the coast, and with its hinterland of common pasture, which was the basic unit of agriculture in all our island communities. If the arable lands of the township were large, they were often subdivided into smaller hamlet farms for cultivation, but the pasture remained common to the township as a whole. Within the township there were other similarities: the division of arable land into infield and outfield land; the main crops which were grown - oats and bear; the primitive and often weak construction of many of the agricultural implements; the main kinds of animals kept; and the chronic shortage of fodder and shelter for the animals. The explanation of these similarities

1. Delvine Papers, Letter from Sleat to Mr John MacKenzie, 16 Jan. 1695 (MS no. 1307 fo. 123).

lies in features common to the Western and Northern Isles despite the wide differences in their historical background over the preceding centuries. Small township settlements, as Smout has noted in relation to Scotland as a whole, seem to go hand in hand with heavy dependence on pastoral farming and the fact that good arable land was often scattered.¹ Climatic factors, and shared cultivation together limited the choice of crops and animals on the farm, while the particular breeds of horses and sheep kept in the seventeenth century may have been introduced by the Norsemen who settled in both the Northern and the Western Isles many centuries before. Shortage of wood, which was general in many of the Western Islands as well as in Orkney and Shetland, must have influenced the construction of implements, and the weakness in springtime of the beasts which had to pull the plough and harrow may also have been taken into consideration.

Where differences are found in the pattern of agriculture, they were often the result of physical rather than historical factors. The relative importance of grain and cattle to the economy was determined largely by the physical features of that island. Most of the Orkney islands, and Lismore, Luing, Seil and Tiree in the Hebrides, which were low-lying and fertile, produced large quantities of grain. Mull and most parts of Shetland, which were in general barren and hilly, produced little grain but large numbers of cattle and also sheep.

Historical factors did, however, have some influence on differences in the pattern of agriculture. It has been shown that in

1. Smout, A History of the Scottish People, 121.

Orkney, Shetland and many of the southern Hebrides, proprietors were much more interested in increasing the income from their estates than were proprietors in the northern Hebrides.¹ It was in the former areas that practices such as dyke-building for the protection of crops, and methods of shared cultivation which gave the individual farmer a greater incentive to produce a bigger crop, were most advanced. In the northern Hebrides, where even by the end of the seventeenth century commercial considerations were not put above the solidarity of the clan and its needs as a fighting unit, agricultural practices were much more backward.

Examples can be found of agricultural practices which were common to all the Hebrides but contrasting with practices in the Northern Isles. One of these was the exclusive use of the horse as a draught animal. In general, however, we find that the pattern of agriculture depended heavily on physical features of the land; and in this respect some of the Hebridean islands were very different from others, while Orkney had a greater resemblance to some of the low-lying islands of the Hebrides, and Shetland had a greater resemblance to some of the hillier of the Hebrides, than the two groups of northern islands had to each other.

1. See above, pp. 30 and 90.

Chapter V

Other Occupations Within the Community

While farming was clearly a basic activity for the vast majority of households in the Northern and Western islands in the seventeenth century, there was other work to be done - some by the farmers themselves, and some by persons who were to varying degrees specialists in their trade or profession. The main sources of information about such work and such people are the same as those about agriculture (topographical descriptions, testaments, court records and private estate documents); but there are a few additional sources, of which a set of treatises on the state of the fisheries in the early seventeenth century,¹ and miscellaneous surviving church records are the most important. This chapter will not, however, be concerned with trade and communications, which will be the subject of chapter six.

Besides rearing animals and growing crops, the island farmer might have other sources of food and income to exploit. The most obvious of these to most islanders, it might be thought, would have been the fisheries; yet the part played by fishing in the economy of our island groups varied greatly. In Shetland fish was of crucial importance both as a food and as an export; in Orkney, where grain was

1. NLS, 'Treatises on the Fisheries' (MS 31.2.16).

much more plentiful, fish was of much less importance; and in the Western Isles there were, for various reasons which will be discussed, a number of places where fishing was hardly pursued at all.

In the seventeenth century fishing was a pursuit followed by almost all Shetlanders. As Brand expressed it, the inhabitants were 'all generally some way acquainted with the sea, and can with some dexteritie and skill, attained by experience, manage their boats, not only because of their frequent passing from isle to isle, and going over the voes ... but by reason of their great fishing'.¹ An examination of seventeenth century testaments shows that almost one out of every two lists a boat or a share in a boat in the inventory of possessions of the deceased person. When it is considered that many testaments were those of elderly or infirm people who may well have had no use for a boat, and that some allowance must be made for concealment of the possessions of boats from the commissary and his officials, it is clear that it was usual for Shetland families to own at least a share in a boat. Even extremely poor people often possessed a share in one: Magnus Bothwellson in Houlland, Yell, for example, whose goods and gear were worth only £35 when he died in 1615, had a half share valued at £7-4/- in a boat;² Magnus Nicolson in Oligarth, Papa Stour, whose possessions in 1635 were worth only £31, owned a complete boat, valued, however, at only £3.³

At the other end of the scale some of the wealthier inhabitants

1. Brand, Brief Description, 110.

2. O & S Tests., ii, fos. 245-6, conf. 26 July 1615.

3. Ibid., iii, fo. 202v, conf. 16 Sept. 1635.

owned several boats, and some were clearly pursuing fishing on a considerable scale as capitalist entrepreneurs using the labour of others. Robert Sinclair of Brough (Nesting), the wealthiest recorded seventeenth-century Shetlander, whose inventory when he died in 1616, amounted to over £26,000, had eight fishing boats at Brough, four in the Skerries, and two at Bigga.¹ Mr Patrick Cheyne of Vaila, who died in 1643 with possessions worth £1,227, had boats, nets and sea gear to the value of £100.² Malcolm Smith in Hillswick, Dunrossness, with an inventory of £494 in 1625, was much less wealthy than these men, but he was very well equipped for catching and curing fish since he owned besides a small leaking boat, a large boat worth £36, an old herring net, ten buchts [hanks] of lines and four barrels of salt.³ The people employed by such men as these have some claim to be regarded as professional fishermen rather than farmers who also did some fishing, but the rough seas and short duration of daylight in Shetland in the winter months meant that fishing was mainly a summertime occupation; at other times of the year fishermen may well have been engaged in other work, perhaps most likely as farm servants.

Almost all the boats used by the inhabitants of Shetland for fishing were either four or six-oared open boats. According to testamentary evidence, seaworthy four-oared boats ranged in value from £3 to £24, depending on age, quality and size. Six-oared boats

1. Ibid., iii, fos. 1-3, conf. 25 Mar. 1628.

2. Ibid., v, Test. of Mr P. Cheyne of Vaila, conf. 30 Sept. 1648.

3. Ibid., iii, fo. 15r, conf. 13 Aug. 1628.

were usually valued at £5 to £40. Shetland boats, as Donaldson noted, were frequently stated in inventories to be old; sometimes, no doubt, the intention was to lower its value in the eyes of the commissary, but many of the boats must, indeed, have been old, since poorer men were unlikely to have been able to afford to replace them very often. The same author also observed how frequently a man owned only a share in a boat, and attributed this to the division of property equally among the children of a deceased person. It is, however, also possible that poor men sometimes had to club together in order to be able to afford to buy a boat.¹

The fishing activities of the Shetlanders were described in detail as early as 1633 by Captain John Smith, who, as we have seen, had been sent from England to examine the scope for development of the Shetland fisheries.² Smith described how the Shetlanders 'with their small fishing-boats called yalls ... will row into the main about two or three leagues more or less, where the banks are that they lay their hooks and lines for ling and cod, in one of these boats, rowing with two men and sometimes four, according to the largeness of the boat. They do usually bring to shore every morning that they go to sea, about fifty or sixty ling and cod.'. Smith also mentioned that small fish were caught by the islanders angling from rocks or fishing in small boats in the voes (inlets of the sea) and sounds. Using nets, they also caught herring not far off-shore. But the herring caught by the Shetlanders were merely the gleanings

1. Donaldson, Shetland Life, 46.

2. See above, p. 144.

left by the large fleet of Dutch herring busses (vessels of around eighty tons) which came to Shetland annually in summer for the herring fishing. In Smith's time around 1,500 busses might be in the Dutch fleet off Shetland, besides a number of slightly smaller doggers whose crews fished for ling and cod.¹ Later in the century, after two Dutch wars, their fleets fishing in Shetland waters were very much smaller.²

When Brand visited Shetland in 1700 the fishing activities of the Shetlanders had changed little. He did, however, note (as did Sir Robert Sibbald) that the fishing had declined over the preceding half century. Then, he said, large numbers of big fish were caught in the voes, whereas by 1700 the fishermen had to row some leagues to sea and often remained there several days before returning to land with their catch. In consequence many fishermen now caught only small fish for their own consumption, which could be taken not far from land.³ This statement is not completely accurate, for as we have seen, even in 1633 the larger fish suitable for export were only to be found a few leagues off-shore, but it is possible that by the end of the century Shetlanders were having to row even greater distances to find the big fish.

Those fish which were not eaten fresh were cured in one of two ways. Some which were intended for export were salted; others were hung to dry in skeos or little dry-stone storehouses through which

1. Smith, 'Description of Shetland 1633', 62-63.
2. Gifford, Historical Description, 5.
3. Brand, Brief Description, 193-5.

the wind could pass and dry the fish or meat hung inside. Dried fish, termed stock-fish, were also exported, and blown fish, which had been hung to dry until they were sour, were consumed locally.¹

Fish were of immense value to the Shetlanders. They provided a very necessary extra source of food, for, as we saw in the previous chapter, not nearly enough grain could be grown to feed the local population.² The small fish such as haddock and whiting caught in the voes and sounds provided, according to Gifford, food for the inhabitants of Shetland for most of the year;³ and Sibbald wrote that 'the greatest part of the good of the commons in the summer time is milk and fish'.⁴

Fish also contributed towards the payment of land duty. In a few cases fish were payable as a duty: the feu duty of twelve merklands in Fair Isle held by Robert Monteith of Egilsay in 1615, for instance, was payable in fish.⁵ But more important was the oil obtained from the livers of fish, particularly saithe. Fish oil was one of the commodities in which scat was payable, and cornteind, which could rarely be paid in grain because of the short supply, was another duty often partly payable in oil. According to a breviat of the rental of Shetland as it was paid to the Earl of Morton before Spynie's feus were granted in 1664, the yearly charge for scat and cornteind oil was 2,548 cans,

1. Sibbald, Description of O & S, 18.

2. See above, p. 161.

3. Gifford, Historical Description, 24.

4. Sibbald, Description of O & S, 17.

5. O & S Papers, Crown Charter to R. Monteith of Egilsay, 17 May 1615 (RH 9/15/11).

and this was sold for a total of £1,520-12/-.¹

Besides the oil which he paid in duties, the ordinary Shetlander often had some left over to sell to the traders who frequented the islands and who also bought the larger fish which he had caught. As Sibbald put it, 'Their fish affords not only food, but a matter of trade to them, by curing them, and the oyle they make of the livers of them: these bring to them money, and all necessaries in time of peace'.²

In Orkney, too, considerable quantities of fish were caught by the inhabitants. Wallace, writing c. 1688, observed that ling, cod, haddock and various other kinds of fish were caught, and that shell-fish were also plentiful. He noted that herring, too, were to be found around the coasts of Orkney, but that the inhabitants 'have not the way to catch them'. Earlier in the century fishermen from the towns on the Fife coast had resorted to Orkney to catch the herring, but this had ceased after many of them had been killed at the battle of Kilsyth in 1645. The Dutch, however, still fished herring off the coast of Orkney in Wallace's time 'to their great advantage'.³

This general picture of fishing in Orkney is confirmed by Brand's description of the scene a few years later; but he added that, as in Shetland waters, fish were not so plentiful as they once had been, and

1. 'A Breviat of Zetlands Rentale' (before 1664), printed in A.C. O'Dell, The Historical Geography of the Shetland Islands (Lerwick, 1939), 250, 257.

2. Sibbald, Description of O & S, 17-18.

3. Wallace, Description Isles of Orkney, 17-18.

to catch the larger varieties the Orcadians had to go far out to sea in their small boats at great risk to their lives.¹

Testamentary evidence shows that the small boats used by the Orcadians were similar in size and value to the boats used by the inhabitants of Shetland. Here, too, boats were frequently described as old, and it was common for a man to have only a half, third or quarter share in one. William Muir in Links, Sanday, who died in 1614, owned one third of a six-oared boat (his share worth £12);² William Ranie in Stronsay had a four-oared boat valued at £6-13-4d when he died in 1625;³ and James Laughton in Whiteclett in the parish of Holm possessed one half of an old four-oared boat worth in all only 48/- on his death in 1683.⁴

It is clear, however, that fish was not nearly so important to the economy of Orkney as it was to the economy of Shetland. As Orkney normally yielded more than enough grain to satisfy the local need for meal, fish was much less important there as a food. It could, however, be a useful supplement to the diet of the people in time of famine, and in the dearth of the 1690s many of the poorer people lived on sillocks (young saithe) 'almost as their only food, they often not enjoying a crum of bread for many weeks'.⁵ In most parishes and islands oil was not one of the commodities in which land duties were payable, although

1. Brand, Brief Description, 30-32.
2. O & S Tests., ii, fos. 214-5, conf. 7 Apr. 1615.
3. Ibid., i, fos. 162-3, conf. 27 June 1626.
4. Ibid., xi, fo. 131v, conf. 10 Jan. 1684.
5. Brand, Brief Description, 31.

Stromness and the island of Walls were exceptions to this rule.¹ But fish was caught for export from Orkney, and in Brand's day many were 'sent abroad to other countrys for sale'.²

This evidence that much less fish was caught in Orkney than in Shetland is corroborated by the seventeenth-century Orkney testaments. These show that, whereas almost one in two households in Shetland possessed a share in a boat, in Orkney the figure is less than one in six households. In some parishes on the mainland of Orkney the numbers of households with boats were exceptionally low: besides Harray which had no coastline, both Birsay and Sandwick in the west mainland had few families who owned boats (about one family in twenty in Birsay, and one in thirty in Sandwick); the reason for this was that in these two parishes much of the arable land, and, therefore, many of the townships, lay a few miles away from the sea. This was a situation rarely found elsewhere in any of our island groups. Testaments also indicate that in Orkney there were very few large-scale entrepreneurs engaged in fishing. Few people owned more than one boat; Magnus Flett of Grutha, South Ronaldsay, who died in 1667, was exceptional in that he owned two old fishing boats, one new fishing boat, and an old six-oared yawl, worth in all £80.³ John Gordon, a merchant in Stromness, should also be mentioned; in 1681 he owned one old fishing boat and a half share in another which were used for line-fishing off Barra in the Western Isles.⁴

1. Morton Papers, Account of the Bishopric Rents of Orkney 1639 (GD 150/2021/1689).

2. Brand, Brief Description, 30.

3. O & S Tests., x, fos. 31-32, conf. 31 Oct. 1667.

4. Ibid., xi, fos. 53-54, conf. 15 Dec. 1682.

The population of the Western Isles did much less fishing than the people of either Shetland or Orkney. The reason was not that fish were scarce in Hebridean waters. Contemporary observers remarked on the abundance of white fish near almost every island, and many of the sea lochs of Skye and the Outer Hebrides were frequented by large shoals of herring. In addition to this, many of the islands had plentiful stocks of salmon in their rivers and burns. Yet the author of the description of the Western Isles of c. 1577-1595 stated, for instance, that the inhabitants of St. Kilda 'make na labour to obtene or slay ony fisches, but gadderis sum in the craigis, albeit thai micht have abundance thair of utherwayis gif thai wald ony way make labour thairfore'.¹ Of the inhabitants of Lewis and Harris, the same author related that they knew no other method of catching their fresh-water fish than by striking them 'with treis and bastonnis' when they were lying partially exposed in the shallow burns.² In 1630 Captain Dymes wrote of the sea-fishing of Lewis, 'The inhabitants doe make but small benefitt besides their owne food, there being in the island not above a dozen boates which doe kill anie fish for sale'.³ About the same time there were said to be plentiful supplies of fish off the shores of Eigg, but the inhabitants had 'no skill to slay the said fish'.⁴ Even at the end of the seventeenth century Martin considered that developing the fisheries was one of the main ways in which the economy of the Hebrides could be improved.⁵

1. Skene, Celtic Scotland, iii, 431-2.

2. Ibid., 429-430.

3. Dymes, 'Description of Lewis 1630', 593.

4. 'Descr. of Certain Parts of the Highlands', Macfarlane, Geog. Colls., ii, 175-6.

5. Martin, Description, 352-4.

There are indications, however, that in many islands in the Hebrides the inhabitants fished quite extensively for their own use. A description of the fisheries of the northern and western waters of Scotland (c. 1632) mentioned that from Loch Carloway to the most easterly point of Lewis (i.e. around the north coast) there were some creeks 'quhilk keeps boats for the comouns of the iland', and the same source related that Skye was 'plentefully served of all sorts of fishes on the coast by smal boats'.¹ Martin described how the natives of Skye angled for cod and ling, and cured herring by drying it without salt merely by hanging the fish on ropes of heather slung across their houses.² Martin also had a tale to tell about the island of Berneray, south of Barra, which reveals that the inhabitants must have caught a great many fish. According to Martin, the residents on this island never went fishing while the proprietor, MacNeil of Barra, or his steward were in Berneray 'lest, seeing their plenty of fish, perhaps they might take occasion to raise the rent'.³ Among the small islands north of Lismore, too, some fishing was done in the summer by local people, for it was said in the anonymous description of c. 1630 that men and women went there in the summer with cattle, sheep and goats, to take advantage of the 'abundance of fishes to be slaine about these illands'.⁴

Commercial fishing in the Hebrides was, however, left almost

1. SRO, Seaforth Muniments, Description of Fishing in Northern and Western Waters, c. 1632, (GD 46/18/147).
2. Martin, Description, 200.
3. Ibid., 159.
4. 'Descr. of Certain Parts of the Highlands', 155.

entirely to outsiders. The position around the year 1630 was that the royal burghs had a monopoly of the fishing within the sea-lochs and bays and among the islands, while further out to sea the fishing rights had been granted by James VI to the Dutch.¹ A treatise on the fisheries at this period narrated that off the west coast of Scotland some 800 to 1,500 boats of around five or six tons each were engaged in the herring fishery from July to December.² From the late 1620s onwards the Dutch with their large herring busses were frequenting the seas off Lewis in increasing numbers.³ On two occasions in the seventeenth century, one in the 1630s and the other in the 1660s, English-based companies were formed, under the patronage of Charles I and Charles II respectively, with the intention of developing the west coast herring fishery, using Stornoway as the centre of operations and employing local people as fishermen. But both companies soon came to grief, the first because of the outbreak of the civil war, and the second through a mixture of bad management and lack of capital.⁴ Some Dutchmen had, however, for a time in the 1660s settled in Stornoway at the invitation of the Earl of Seaforth. They had to withdraw on the outbreak of the second Anglo-Dutch war in 1665, but at the end of the seventeenth century Martin could say that as a result of what they had learned from the Dutch, the people of Stornoway had come to 'excel all those of the

1. 'Treatises on the Fisheries', fo. 26, Reasons against Certain Instructions on the Fisheries (c. 1630).
2. Ibid., fo. 42, Anent the Fishing in Scotland, England and Ireland (c. 1630).
3. Dymes, 'Description of Lewis 1630', 593.
4. The formation and activities of these two companies have been thoroughly described and documented in W.C. MacKenzie, History of the Outer Hebrides, 303-28.

neighbouring isles and continent in the fishing trade ever since that time'.¹

The extent to which fishing was neglected by the inhabitants of the Hebrides in the seventeenth century has sometimes been exaggerated. Nevertheless, none of the contemporary descriptions of the Western Isles suggest that fish was a very important item in the diet of most Hebrideans, and neither fish nor fish-oil formed part of the rent or casualties of land there so far as these are known. In view of the plentiful supply of fish round their shores this requires some explanation.

Firstly, the recent troubled history of the Western Isles with bitter feuding between various clans would have made extensive exploitation of the coastal fisheries by any group of islanders impossible. Indeed, in the earlier years of the seventeenth century many complaints to the Privy Council were made by fishermen from the burghs of the east coast of Scotland of molestation by the Hebrideans, particularly by the Captain of Clanranald and his followers, while they were fishing in the northern Hebrides.² No doubt Clanranald was resentful of the intrusion of Lowland fishermen into Hebridean waters, and such incidents as these show that it could take time for chiefs and clans to develop a constructive approach to the fisheries, since Clanranald could instead have turned the situation to advantage by exacting regular dues from the fishermen as other chiefs were doing.³

1. Martin, Description, 358.

2. E.g. RPC, xiii, 740-2.

3. Lord Lorne's Report anent the Exactions for Fishing in the Isles (1634), printed in De Rebus Altabicis, 108-110.

Secondly, unlike Shetland, most of the Hebrides produced in normal years sufficient grain and dairy products to provide most of the food needed by the population. There was, therefore, no great incentive for the Hebridean to spend much of his time in the dangerous and arduous pursuit of fishing.

Thirdly, none of the seventeenth-century commercial fishing ventures in the Western Isles were sufficiently long-lived to exert a major influence on the local population with the possible exception of the residents in the vicinity of Stornoway in Lewis. The few Dutchmen resident in Stornoway in the early 1630s were banished in favour of the newly formed English company which in turn failed because of the civil war. The Dutch community established in Stornoway in the 1660s was forced to leave because of an Anglo-Dutch war, while the second English company formed to exploit the west coast fishery was a commercial failure.

The sea yielded other creatures which in all our island areas were used to advantage by the local population. One of these was the seal. In many places where seals regularly gathered, nearby islanders took advantage of the situation. The tiny island of Causamul west of North Uist was a gathering place for large numbers of seals at the end of October. The island was a pertinent of the adjacent lands in North Uist, and the tenant farmers annually manned a boat to Causamul and killed the seals with staves. The dead seals were shared among the tenants, with the provider of the boat getting an extra share, and the minister of North Uist, the steward of the island and his officer each receiving one seal by virtue of their offices. The seal flesh was cured with the ashes of burnt sea-ware instead of salt, and eaten by the common

people in the spring when other food was scarce. The skins cut into strips were used instead of ropes to harness horses to the plough.¹

From Martin we learn, too, that seals and also otters were trapped by the inhabitants of Harris in nets which they tied to the growing sea-ware.

As in North Uist, the flesh was eaten mainly by 'the meaner sort of poeple'.²

Further south, in Islay, Dean Monro noted that large numbers of seals which lay on the sand-banks of Loch Gruinart when the tide was out were 'slane with doggis leirnit to the same effect'.³

In the Northern Isles also seals were hunted. We know from a sixteenth-century description of Orkney that the poeple of North Ronaldsay caught seals in hemp nets around their shores, and that they sailed to the rock of Seal Skerry to kill the seals which gathered there by beating them with large hazel sticks.⁴ A rental of North Ronaldsay of 1676 shows that there were at that time six nets in the island, for each of which the proprietor of the island received one lispound of oil per year; besides this all the oil from the seals killed on Seal Skerry and every tenth skin belonged to him; the rest was kept by the hunters.⁵ According to Wallace, seal and otter skins were among the chief products of Orkney;⁶ and Brand tells us that the people of the north isles of Orkney wore seal-skin shoes.⁷ Seal and otter skins were among the products exported

1. Martin, Description, 133-6.

2. Ibid., 114.

3. Monro, Western Isles, 55-56.

4. Jo Ben, 'A Description of Orkney' (1529), Macfarlane, Geog. Colls., iii, 314.

5. SRO, Dick-Lauder Papers, Rental of North Ronaldsay 1676 (GD 41/428).

6. Wallace, Description Isles of Orkney, 13-14.

7. Brand, Brief Description, 25.

from Shetland as well as from Orkney.¹ Sibbald's description of Unst records that the carcasses of the seals killed at Burrafirth in November were salted by the inhabitants 'and in time of Lent they eat them as sweetly as venison'.²

Occasionally, both Northern and Western islanders were able to take advantage of another mammal - the whale. Both Monro and Martin noted that whales were sometimes slaughtered by the Lewismen. The whales frequented the bays of the east coast of the island, and the natives, going out in their boats, drove them ashore. The flesh of the whale, like that of the seal, was eaten mainly by the common people.³ Exactly the same method of capture was used by the inhabitants of Shetland where many small whales frequented the coasts. There one third of the catch was allotted to the admiral,⁴ one third to the proprietor on whose land the whales had been driven ashore, and the remaining third to the captors.⁵ In Orkney, too, small whales were sometimes driven ashore, and were valued particularly for the oil which they yielded. It is likely that the proprietors of the lands where they were driven ashore gained at least as much from them as the proprietors in Shetland, for Brand remarked that the whales were 'very beneficial to the masters of the ground'.⁶

1. Sibbald, Description of O & S, 24.

2. Ibid., 74-75.

3. Monro, Western Isles, 87; and Martin, Description, 88.

4. The admiral was the official who had the right to settle disputes between fishermen, and claim articles driven ashore, which were, by Scots law, the property of the crown.

5. Gifford, Historical Description, 24.

6. Brand, Brief Description, 72-73.

Birds were yet another valuable resource of both the Western and the Northern Isles. To the various islands with access to a large colony of nesting sea-birds they were of especial value; and islanders were extremely resourceful and courageous in their efforts to collect the birds and eggs. St. Kilda, with its huge colony of sea-birds, was probably the place where they made the greatest contribution to the local economy. Martin, who had visited the island, related that the inhabitants preserved more than 20,000 gannets a year by curing them in little stone storehouses (reminiscent of the skeos of the Northern Isles); eggs were preserved with ashes of peat. The flesh and eggs of the puffin and fulmar were also eaten; the fat of the gannet was used as a medicine, and fulmar oil was burned in their lamps. Oil and also feathers and cured fowls were among the commodities paid by the St. Kildans in rent to the proprietor, MacLeod of Dunvegan. The rocks used for fowling were divided among the tenants, who were expert climbers, and they also caught some birds in gins.¹ The abundant supply of fowls was, most probably, the main reason why the inhabitants of St. Kilda did so little fishing, although the lack of sheltered harbours was, no doubt, also a factor.

Sea-birds were also extremely important to the inhabitants of North Rona who had 'the best of their sustenance' from fowl,² and their rent to the Earl of Seaforth was partly paid in feathers.³ Uninhabited islands where sea-birds nested were a valuable asset to the tenants

1. Martin, Description, 306-8, 312, 314-5.
2. J. Morison, 'Description of the Lewis' (probably 1678-88), Macfarlane Geog. Colls., ii, 212.
3. Sir G. MacKenzie, 'Isles Hirta and Rona' n.d., Macfarlane, Geog. Colls., ii, 29.

of the nearest inhabited lands. The most celebrated of these were the Flannan Isles, the rights to which belonged to tenants in the north of Lewis. These men sent a boat there once every summer and made 'great purchase of fowls, eggs, down, feathers and quills'.¹

The inhabitants of many parts of Orkney found sea-birds a great benefit. Mr Matthew MacKaile, a surgeon in Kirkwall in the early 1660s, wrote that 'the inhabitants at the west end of the main[land] and at the east, but especially those in Copinsha, purchase a great many feathers by taking the sea-fowls from off the high rocks, letting down a man with a strong rope about his middle, and he throweth the birds into the boat attending below'.² Brand observed that birds were also sometimes shot from boats positioned at the foot of the rocks. In contrast to the Western Isles, in Orkney the main beneficiaries from the sea-birds appear to have been the proprietors of the land, for Brand stated that 'the gentlemen and some others' (presumably, as opposed to the small tenants) had the rocks in several places divided among them as they held their lands. He added that some years previously a gentleman in Westray killed as many birds as yielded from fifty to a hundred stones of feathers each year 'whereby accrues to the owners more gain then by the flesh of these fowls'.³

Sea-birds were also of great value to the people of Shetland, especially to the inhabitants of Fair Isle, Foula and Noss. Of Fair

1. Martin, Description, 97.

2. M. MacKaile, 'Orkney Islands' n.d., Macfarlane, Geog. Colls., iii, 3.

3. Brand, Brief Description, 34 (*italics mine*).

Isle, its minister, Mr James Kay, wrote, 'Here are multitudes of sea fowles, which are not a little beneficial to the islanders by reason of their feathers, which is one chief commoditie of this place'.¹

The main product of Foula, apart from stock-fish, was said to be feathers.²

The inhabitants of the island were judged to be the best rock-climbers in Shetland, and the birds which they took provided most of their food in the summer season.³

The methods used by the Shetlanders to catch birds were similar to those employed in Orkney, but the inhabitants of Noss had a particularly ingenious way of collecting birds and eggs from the almost inaccessible holm of Noss: an intrepid climber had once scaled its cliffs and driven stakes into the ground on the top of it; from the mainland of Noss ropes were thrown over the stakes and a cradle arrangement attached to these ropes enabled a man to enter the holm to collect birds and eggs.⁴

In these islands much of the benefit of the sea-birds seems to have gone to the common people; but the birds of the many small grassy holms of Shetland probably benefited, first and foremost, the proprietors. We have already seen that one of the country acts of Shetland forbade any man to enter the holm belonging to another without his permission on any occasion;⁵ and Brand related that there was a particular holm in Northmavine, whose proprietor took from it a basketful of eggs almost every day in the summer; these eggs were 'very serviceable to this gentleman's house and the countrey about'.⁶

1. Sibbald, Description of O & S, 51.

2. Ibid., 64.

3. Brand, Brief Description, 131.

4. Ibid., 179-80.

5. Court Bks O & S 1614-1615, 65-66.

6. Brand, Brief Description, 177-8.

The wild animals of the land were not of great value to the small farmers of either the Western or the Northern Isles. Deer were found only in the Western Isles, but these were preserved for the chiefs and their friends to hunt.¹ Doubtless some were poached, but it would have been very difficult to conceal or dispose of large numbers of carcasses. Some rabbits were found in all our island groups. Only in Orkney, however, were the rabbit warrens so numerous and extensive as to constitute a significant source of wealth. In the island of Sanday, where rabbits were especially abundant, the heritors at the end of the seventeenth century were killing several hundreds of them yearly.² Many of the skins were exported.³ But there is no evidence that small tenant-farmers obtained much benefit from rabbits.

One essential task for every household was the winning of fuel. In both the Northern and Western Isles the main fuel in use was peat, of which most islands had plentiful stocks. Over the summer period it had to be cut, dried and carried home from the hill, usually on the backs of the horses. In most places, even at the end of the eighteenth century, peat was cut from the hill-sides with little regard for either economy or drainage. The holes which were dug were short and shallow, and there was no restriction on the number of faces which one man might open in a year.⁴ In some of the islands off the Argyll coast,

1. Contract by various chiefs anent the Preservation of Deer 1628, De Rebus Albanicis, 190-3.
2. Brand, Brief Description, 56.
3. Wallace, Description Isles of Orkney, 13-14.
4. MacDonald, General View - Hebrides, 504; and Shirreff, General View-Shetland, 70.

however, as was the case with several aspects of their farming, higher standards were demanded. The tenants of Glenorchy's lands in Lismore, for instance, were forbidden to cut peat from the cornland and were ordered to use the lowland peat spade which was alleged to do less damage to the ground than the traditional tuskar in use in the Hebrides and in the Northern Isles.¹ In Luing and Seil it was ordained that the inhabitants must cut their peat out of one face only,² and in 1680 the tenants of Kilbride in Seil and Nether Ardlarach and Leccabuy in Luing were fined for continuing to cut their peats out of several holes.³ One reason for the more economical methods demanded in these small islands was, most probably, that their stocks of peats were clearly seen to be limited; in many other islands the abundance of peat-moor was so great that there was no reason to impose stringent conditions governing the methods of cutting peat.

The rights to cut peat, turf and heather for fuel, dyke-building, thatching, rope-making etc. were normally held by the tenants, and in the Northern Isles the small owner-farmers, of a township as part of their general rights over the common moor. But in the Northern Isles, at least, extra duties sometimes had to be paid for leave to cut peat. Payment for peat-leave was a common item among the debts owed by Fetlar people in their testaments. In the testament of Christian Gregoriusdochter, wife of Matthew Williamson in Houll, for instance, 24/- was owed to

1. Breadalbane Muniments, Acts of Glenorchy's Courts 1615-18. NB: some of these acts are no longer legible in the original, but they are printed in The Black Book of Taymouth (Bannatyne Club, 1855), 353, 359.
2. Breadalbane Muniments, Acts of Court Nether Lorne c. 1660.
3. Ibid., court record headed 'The Tennents of Luing', 5 Aug. 1680 (GD 112/17/1).

Laurence Bruce of Cultmalindie for peat-leave.¹ Fetlar was one of the islands where peat was not plentiful, and some townships must have had little or none on their common land. The occupiers of such townships, it seems, had to pay proprietors of lands which did have peat-moss for the right of access to it. According to Brand, in Orkney a small fee was charged by the proprietors of peat-moss to those who wished to cut peat there: 'The usual manner of agreement with the proprietor of the moss, is for so much a day, for so many peits as a man can cast'.² But it is not clear from this account whether the charge was levied on all tenants, or only on those who had to cast peat on land belonging to a proprietor other than their own landlord.

In all our island areas men of substance had their peat cut by others. As we saw in chapter three, peats were often demanded as one of the casualties paid by tenants to their landlords.³ It is almost certain that in a similar fashion subtenants would have paid peats to their tacksmen. But casualties were not always exacted in full, and some proprietors employed men specifically to cast peat. An account of 1688 from the MacLeod estates records the payment of three pounds of tobacco to one Donald MacKennish for casting peat;⁴ and in Rodel in Harris, MacLeod's administrative headquarters in that island, the rental of 1680 shows that Christopher MacQueen held an eighth of a pennyland there

1. O & S Tests., ii, fos. 81-82, conf. 10 July 1613.

2. Brand, Brief Description, 37.

3. See above, pp. 124, 131.

4. MacLeod Papers, Account of M. MacLeod to the Laird of MacLeod, paid 2 July 1688 (box 17a).

rent-free for the service of casting and delivering peats to the laird's house.¹ In Shetland a court case narrates that Harry Cheyne of Stappness in Walls had in 1610 borrowed a cauldron from Gilbert Moncrieff in Brebister 'for brewing of aill to his peat casteris' and had failed to return it.²

The inhabitants of islands which had no peat were often in a very difficult position. In many islands in the Hebrides and in the whole of Orkney and Shetland no trees grew and, therefore, wood was also scarce, although drift-wood came ashore in considerable quantities in some places. The inhabitants of North Rona, for example, having no peat and no trees, had to rely on driftwood, which came ashore regularly there, for fuel.³ Heisker, west of North Uist, also lacked both peat and wood. The inhabitants, according to Martin, were forced to burn cow-dung, barley-straw and sea-ware, commodities which would have been valuable to them as manure or fodder.⁴ North Ronaldsay in Orkney was in a similar predicament, and there, too, cow-dung was burned as a fuel.⁵ The inhabitants of both North Ronaldsay and Sanday also fetched peats from the island of Eday which had plentiful supplies.⁶ In Shetland the Skerries had no peat, and the people who lived there brought supplies from Whalsay over a dangerous six-mile passage by sea. Drift-wood, however, was fairly plentiful, and Brand tells us that 'the inhabitants

1. Ibid., Rental of Harris 1680 (box 22).

2. Court Bk O & S 1612-1613, 27.

3. MacKenzie, 'Hirta and Rona', 29.

4. Martin, Description, 132.

5. Jo Ben, 'Description of Orkney', 314.

6. MacKaile, 'Orkney Islands', 4.

of the Skerries trust the one half of their provision to this driven timber'.¹

The small farmer in the Western and Northern Isles had to supply the vast majority of his own needs. He produced all or most of the food he ate; wool from his sheep provided most of his clothing; fuel came from the peat he cut or other combustible material which he could obtain; and he repaired his house and made articles such as ropes which he needed from materials like turf, heather and horse-hair which were readily available to him. There were, however, some specialist tradesmen in all our island areas. Among the commonest of these were weavers, shoemakers or cordiners, and tailors; smiths, too, are recorded in most of the major islands.

In the Western Isles documentary evidence about local craftsmen ranges from sparse to very detailed according to place, and much more information is available for the latter half of the seventeenth century than for the early years. In Islay, however, weavers and shoemakers are mentioned as early as 1613 in an act of the Privy Council for relieving the king's tenants there from the illegal exactions of Sir Ronald MacSorley and his associates, who were levying, among other sums, 48/- 'fra every wobster and cordinair within the boundis of Yla'.² Just over a century later, in 1729, regulations were set down in the Stent Book of Islay to govern the payment of weavers, cordiners and tailors in the island: weavers were to receive meal at the local rate (not specified) for their work; cordiners were to be paid 1/- Scots for making a pair of

1. Brand, Brief Description, 119-120.

2. RPC, 1st series, x, 13.

the ordinary shoes of the country; tailors were to be paid 4/- a day for themselves and a further 2/- for an apprentice who had served more than a year. It should be noted that these were maximum rates, and fines were to be imposed on tradesmen who demanded more. The Stent Book also mentions smiths, who were to make all the ironwork necessary for ploughing and to shoe the plough-horses twice a year for payment of the customary fees.¹

There may have been some correspondence between the rates paid to craftsmen in different islands, for the bailie court acts of c. 1660 affecting Seil and Luing laid down the same basic rates of pay for tailors and cordiners as did the Stent Book of Islay. In addition, it ordained that cordiners might charge 10/- per pair for men's shoes, and 8/- per pair for women's, if they made them using their own materials. In Seil and Luing, as in Islay, weavers were to be paid mainly in meal. The rate of payment varied with the complexity of the weaving: half a firloft of meal was payable for the weaving of a white plaid or cloth twelve ells long; three quarters of a firloft was the rate for weaving a common grey plaid; and one firloft was to be charged for a 'hewit' or various-coloured cloth. Linen was to be woven at from 2/- to 4/- per ell according to the fineness of the cloth.² Similar but even more complicated regulations governed the payment of weavers in Lismore according to acts of Glenorchy's court of 1622.³

The fact that weavers were usually paid in meal suggests that their

1. SRO, Presentation by Capt. Iain Ramsay, Stent Bk of Islay 1718-1823 (unfoliated), regulations of 29 July, 1729 (GD 1/362/1).
2. Breadalbane Muniments, Acts of Court - Nether Lorne c. 1660.
3. Taymouth Bk, 362.

services were more commonly used by the small tenants, who had little opportunity to acquire money to pay them, than were the services of other craftsmen. The evidence of two rentals of Tiree strongly suggests that there every township had its weaver. The rental of 1662 states that every weaver paid one merk per year to the proprietor, and that this ordinarily produced a revenue of £26-13/-.¹ This indicates that there were usually some forty weavers in the island. A rental of 1674 lists forty townships in Tiree.²

Besides weavers, cordiners, tailors and smiths, other craftsmen mentioned in the seventeenth century records of the southern Hebrides were wrights. According to a fragment of a bailie court book of Nether Lorne c. 1672, wrights were to have no more than 4/- for a day's work, i.e. the same rate of pay as tailors there were receiving.³ From Lismore there is extant the inventory of a wright, John MacIlchoniell in Fiart, who died in 1698. This particular wright was a very poor man with possessions of only two sheep and 'some littell wright looms'.⁴ The wright or joiner probably made the more complicated of the wooden implements used in farming as well as some items of furniture, but they were also the craftsmen who mended and perhaps even made boats.

For the more northerly of the Hebrides documentary evidence about craftsmen is very slender. Rentals are the main source of information,

1. Campbell, 'An Old Tiree Rental 1662', 344.
2. Rental of the Estate of Duart 1674, Highland Papers, i, 288-92.
3. Campbell of Jura, Fragment Bailiary Court Bk - Nether Lorne c. 1672 (GD 64/2/14).
4. Argyll Invs., viii, Inv. of J. MacIlchoniell, conf. 2 Nov. 1700 (CC 2/5/8 fo. 23v).

but none of these note weavers, tailors or cordiners, probably because their rent was neither augmented nor diminished on account of their trade, and also because some of them were, no doubt, itinerant and had no land. The rental of Sleat in Skye of 1718, however, records one Donald Chisholm, wright in Kilbeg, who held a pennyland there rent-free for his service;¹ and the 1679 rental of the estates once belonging to MacLean of Duart in Mull lists the halfpennyland of Salchurr in Ross which the 'tinkler's relict' alleged to be rent-free for services.² The rental of Lewis of 1718 lists two kairds or tinkers: Donald Kaird in Borrow and Neil Kaird in Stornoway; both of these men had small holdings, but neither was stated to have any reduction in their rent on account of their craft. They are detectable in the rental only because they were designated by the their calling instead of by the usual patronymic.³

The craftsman most frequently mentioned in rentals is the smith. The rental of Lewis already referred to lists Donald Smith alias Gow (i.e. gobha - the Gaelic form for smith) in Upper Shader. According to the rental of Harris of 1680, 'the smith' had three quarters of a pennyland in Little Borrow, and 'Kenneth the smith' held an eighth of a pennyland in Kirktown in the small island of Pabbay.⁴ On the MacLeod estates in Skye in 1683 there were two smiths in Minginish and one in Bracadale;⁵

1. Exchequer Recs., Rental of Sleat 1718.
2. Rental of Duart 1679, Highland Papers, i, 313.
3. Exchequer Recs., Rental of Lewis 1718.
4. MacLeod Papers, Rental of Harris 1680.
5. Ibid., Rental of the MacLeod Lands in Skye 1683.

while on the MacDonald estates in Skye in 1718, Malcolm MacIntyre in Kilmore, Sleat, and James O'Sheridan in Ballichillreach in Trotternish had rent-free holdings for their work as smiths.¹

Another small tradesman found in many islands of the Hebrides was the brewster. According to the bailie court acts affecting Seil and Luing, brewsters were to be fined for 'brewing of evill drink';² and by the acts of Glenorchy's courts cunstars or testers were to be appointed to check the quality of the brewsters' ale. These acts make it clear that brewsters were normally also inn-keepers, for it was laid down that no-one was to drink within a brewster's house or yard or any buildings belonging to a hosteler unless he had travelled at least eight miles.³ The rental of Islay of 1686 records that there were then two brewhouses in Port Askaig on the east side of the island, and these were set along with the ferry service to Jura to Alexander Campbell for a total of £22; Killarow in the west had one brew-house which had five tenants paying a total of £41.⁴ The rental of Harris of 1680 lists one Allister Brewster as a tenant in Drimphuint; it seems that he later moved to Skye, for the same name appears among the tenants in Dunvegan in 1683, while in the next extant Harris rental, that of 1684, his name is not found.⁵ In some parts of the Hebrides, probably where bear (from which ale was produced) was plentiful, ale was the common drink of the people. Martin tells us that this was the case in Tiree, where, he added, there were

1. Exchequer Recs., Rentals of the MacDonald Lands in Skye 1718.

2. Breadalbane Muniments, Acts of Court - Nether Lorne c. 1660.

3. Taymouth Bk, 357, 361.

4. Rental of Islay 1686, Bk of Islay, 513 and 519-20.

5. MacLeod Papers, Rentals of Harris 1680 and 1684, and Skye 1683.

three ale-houses.¹ In Skye, however, the common drinks were milk and water, although spirits were drunk there, as in several other islands, to combat the damp and cold.²

In the Western Isles there was probably only one centre of population large enough to attract experts in less common crafts and trades. This was Stornoway in Lewis which was the only town, albeit a small one, in all the Hebrides. The 1718 rental of Lewis lists eighty-two tenants in Stornoway, but gives no indication of their occupations except for the tinker already mentioned, some seven inn-keepers who each had to pay a stone of tallow for the privilege, a pilot or navigator, and a few estate officials.³ The centre of at least one large estate, however, was a focal point for a few more unusual trades. In the 1680s MacLeod of Dunvegan was making alterations to the castle of Dunvegan. The MacLeod accounts at this period contain contracts with and receipts from various craftsmen in the building trade, including a contract of 1688 with John Ross of Belblair, master mason, for a year's work for which he was to be paid 400 merks;⁴ and a discharge of 1682 from William Fraser, slater, for work done at Dunvegan.⁵ These kind of tradesmen, however, were required only on a temporary basis, and many of them, like John Ross, were brought from the mainland for only a short period. A more permanent

1. Martin, Description, 294-5.

2. Ibid., 220, 242; see also 86-87 (Lewis), and 110 (Harris).

3. Exchequer Recs., Rental of Lewis 1718.

4. MacLeod Papers, Contract between the Laird of MacLeod and J. Ross 22 Sept. 1688 (box 25).

5. Ibid., Discharge to MacLeod from Wm Fraser, 15 Sept. 1682 (box 16).

appointment was that of gardener to the MacLeod chief. A three-year contract is extant between MacLeod and George Steel 'present servitor and gairdner to him', by the terms of which Steel undertook to look after the old and new gardens of Dunvegan for an annual salary of 60 marks as well as quantities of cloth, oatmeal, cow-hides, butter and cheese.¹

Craftsmen such as these appear to have made their living solely by the pursuit of their trade for which they were paid a fee or salary in money and sometimes in kind. In this they differed from the smiths, wrights and tinkers listed in the rentals who made their living partly by their trade, but also partly by farming their holdings. Farming was a useful occupation for craftsmen who lived far from any centre where food and other necessities could regularly be obtained, while demand for their services, no doubt, fluctuated considerably. For these reasons it seems certain that many weavers, tailors and cordiners, although they were not so designated in rentals, were also small tenant-farmers.

According to tradition, many crafts were hereditary within certain families in the Western Isles. Our sources give little evidence as to whether this was widespread in the seventeenth century in most of the crafts which we have discussed so far, although the surviving strength of the kin-group in Hebridean society, which we have previously noted in connection with land-ownership and land-tenure, suggests that it may have been.² It was, in any case, easier for a son to follow his father's craft by learning from him, and by inheriting his tools, than it was for an outsider. But this is not adequate to explain the instance given by

1. Ibid., Contract between MacLeod and G. Steel, 23 Jan. 1686 (box 25).

2. See above, pp. 74, 78-9 and 97.

Martin of a smith in Skye who was thirteenth in a line, son succeeding father in the craft.¹ Moreover, when we discuss professional men, we shall see that in the Western Isles many categories of these retained a strong hereditary tendency in the seventeenth century.² They include doctors, musicians and bards, whose occupations all possessed a substantial craft element. It is important to realize that the complete distinction between craft and profession is a modern and not a mediaeval idea. It is likely that the crafts which we have been discussing also retained a strong hereditary tendency.

In Orkney and Shetland all the types of craftsmen common in the Hebrides are found, although the author has been able to discover little about how they were recompensed for their labour. Poll tax records (1694-1696) have survived for most of the parishes of Orkney. Some of these distinguish the different local craftsmen and give a rough idea of their distribution in the community. Weavers emerge as the commonest craftsmen. In Birsay, for example, five weavers were named, but only one tailor and one shoemaker; there was also a couper or maker of barrels (used extensively in the Northern Isles for the storage of butter, oil and fish); in Holm there were at this time six weavers, three tailors, a shoemaker and a smith; and in North Ronaldsay four weavers and three tailors.³

No poll tax records from the parishes of Shetland have survived, but

1. Martin, Description, 228-9.

2. See below, pp. 265-271.

3. O & S Papers, Poll Tax Roll - Orkney, 1694-1696, 2 vols., (RH 9/15/175).

from the witness lists contained in sasines it can be shown that weavers, tailors and cordiners were distributed throughout the islands. Daniel Linay, weaver in Setter, probably in Yell, witnessed a sasine of lands in the north mainland and isles of Shetland in 1654; Bartel Mowat, weaver in Calsta, Northmavine, was a witness to a sasine in that parish in 1658; John Paterson, weaver in Bressay, witnessed a sasine there in 1699.¹ Examples of tailors are James Keilman in Hillwell, Dunrossness, in 1656; John Drevar in Dale, Tingwall, in 1657; and Robert Stewart in Houlland, Northmavine, in 1671.² Among a number of cordiners were Hugh Tyrie in Yell (1627), and William Cogle in Olnafirth, Delting (1643).³

Both wrights, who must have been in demand for repairing boats, and smiths appear several times among the witnesses of charters and sasines. John Reid was a wright in Brugh in the island of Burra in 1656, and Andrew Dalziell was in that trade in Papa Stour in 1698.⁴ Smiths included Robert Linklater, who worked in Laxfirth, Tingwall, in 1656, and Thomas Lamer in Scatsness, Dunrossness, in 1688.⁵ A few coupleers, among them Patrick Brown in Gruting, Sandsting (1630), are also mentioned in these records.⁶

The few small towns in the Northern Isles were centres for various categories of craftsmen. Kirkwall in Orkney was a very old established

1. PRS O & S, Shetland, iii, fos. 393v and 456v; and GRS, 3rd series, lxxv, fo. 464r.
2. PRS O & S, Shetland, iii, fos. 413v and 435r; and iv, fo. 447r.
3. Ibid., Shetland, iii, fos. 48v and 258r.
4. Ibid., Shetland, iii, fo. 425v; and 2nd series, vi (part 1), fo. 124v.
5. Ibid., Shetland, iii, fo. 416v; and 2nd series, iv, fo. 335v.
6. Ibid., Shetland, ii, fo. 167v.

centre, having a royal charter of the year 1486; it was the biggest town in any of our island areas until the end of the seventeenth century when it may have been surpassed by Lerwick in Shetland, a town which had developed rapidly in the preceding half century. The poll tax roll shows that in 1695 Kirkwall had a population of some 276 families.¹ All the types of craftsmen common in the rest of Orkney were also present in Kirkwall, as is shown, for instance, by a list of persons summoned 'to pass upon the assyys of Edward Rynd, weaver,' in the burgh court in 1681. In this list tailors, wrights, smiths, coupers and cordiners are all represented.² But the town was big enough to support practitioners of less common crafts: the list just mentioned contains the name of David Monroe, a litster or dyer of cloth; testaments record the deaths of another litster, John Richane (c.1679), a mason, John Ross (1681), and the wives of a baxter or baker, Robert Omond (1614), and a glover, William Farquhar (1676).³

Similarly, in the small settlement of Scalloway, the administrative centre of Shetland in the seventeenth century, and in Lerwick, which grew up in the latter half of the century on the mainland side of the busy harbour of Bressay Sound, sasines show that, besides the range of craftsmen commonly found throughout the islands, others practised their trades. In Scalloway in 1629 there was a baker named John Cant, who owned a tenement of land there.⁴ In Lerwick between 1680 and 1697, at

1. O & S Papers, Poll Tax Roll - Orkney, vol. 1.

2. Craven Bequest, List of Persons - Assize of E. Rind, 16 Dec. 1681 (HD 106/251).

3. O & S Tests., ii, fos. 202-3; xi, fos. 4-5 and 31-32; xii, fo. 3r.

4. PRS O & S, Shetland, ii, fos. 132-3.

least three litsters, namely Henry Smith, George Clerk and Magnus Horrie, are recorded;¹ there was a mason, Patrick Adamson (1697), a hammerman or craftsman in metal, John Monro (1698), and a saddler, Alexander Greig (1699).²

The craftsmen of the country areas of Orkney and Shetland were, as in the Western Isles, usually also farmers. In Orkney Magnus Smith, a blacksmith in Thurvo, Walls, had besides the tools of his trade and his household goods, two horses, five cows, some sheep and pigs, and growing crops of oats and bear when he died in 1623.³ Alexander Mirr-
iman, a weaver in Isbister, Birsay, who died in 1682, had besides his 'webb loomes', three old horses, three cows and three young quoyacks, six sheep and a quantity of oats and bear.⁴ In Shetland Thomas Link-
later, smith in Laxfirth, Tingwall, owned horses, oxen, cows, sheep and crops when his wife died in 1646.⁵

By contrast in Kirkwall, where work was, no doubt, more regular and provisions were more easily obtained than in the country areas, most tradesmen had no agricultural property except sometimes a cow. George Smith, a couper, possessed only his tools and household furniture to the value of £67 when he died c. 1638.⁶ William Farquhar, the glover, had goods worth £110 in 1676: £20 of this was the value of his leathers,

1. Ibid., 2nd series, iii, fo. 353r; v, fo. 7v; vi (part 1), fo. 26v.

2. Ibid., 2nd series, vi (part 1), fos. 24v, 93v and 195r.

3. O & S Tests., i, fo. 99r, conf. 6 Nov. 1623.

4. Ibid., xi, fo. 83r, conf. 1 July 1682.

5. Ibid., v, fos. 54-55, Test. of Geillis Weymes, conf. 12 Sept. 1648.

6. Ibid., iv, fos. 31-32, conf. 20 Mar. 1641.

gloves and tools, and the rest was made up of a variety of household articles.¹ William Goodall, a weaver who died in 1620, left £30 worth of household goods and a cow.²

Although there is no evidence to suggest that in the Northern Isles crafts were hereditary within families over a long period, there is evidence from Shetland that in the seventeenth century crafts were continued within some families. We have already mentioned Thomas Linklater, a smith in Laxfirth in 1646, and Robert Linklater, also a smith there in 1656.³ Another smith, William Lamer, witnessed a sasine in Dunrossness in 1636, while Thomas Lamer, as we saw previously, was a smith in that parish in 1688.⁴ James Keilman was a tailor in Hillwell, Dunrossness, in 1656, while in 1695 one Andrew Kelmane, tailor, witnessed a sasine in Unst.⁵ These instances are unlikely to have been mere coincidences since none of these surnames were at all common in Shetland.

There were not only tradesmen but also certain professional people in our island groups in the seventeenth century. The most numerous of these were the clergy, whose function it was to attend to the spiritual welfare and moral discipline of the community. The reformed church aimed to provide a minister in every parish. In the Northern and Western Isles this was a formidable task.

The islands were remote from the centre of government of both church

1. Ibid., xi, fos. 4-5, conf. 1 Mar. 1681.

2. Ibid., i, fos. 58-59, conf. 2 Mar. 1621.

3. See above, pp. 243 and 245.

4. PRS O & S, Shetland iii, fo. 64r; and 2nd series, iv, fo. 335v.

5. Ibid., Shetland, iii, fo. 413v; and 2nd series, v, fo. 59r.

and state. In the Hebrides local candidates for the ministry were slow to be forthcoming. Moreover, the inhabitants of the Western Isles were regarded by Lowlanders as barbarous, and there was the additional difficulty that the language spoken there was not Scots but Gaelic. (In Orkney and Shetland some Norse was still spoken, but most of the population understood Scots.)¹ The attitude of the government to the Northern and Western Isles at the beginning of the seventeenth century is exemplified by the Privy Council's order of 1606 banishing three of the ministers who refused to accept the prerogation by James VI of the General Assembly of the kirk to Lewis, Orkney and Shetland respectively.² It is, therefore, scarcely surprising that Lowlanders were often reluctant to fill vacancies, particularly in the Western Isles. Because of the shortage of ministers in the Hebrides, in the latter half of the seventeenth century the revenues of vacant parishes there were often used to educate local boys and young men in the Lowlands so that they might later return as ministers. In 1672 Mr John MacCalman, student of divinity at Glasgow, received £133-6-8d from the vacant stipends of the diocese of Argyll and the Isles;³ and between 1698 and 1700, £266-13-4d from the revenues of the vacant parish of Snizort in Skye was allowed by the synod of Argyll to students within the presbytery of Skye.⁴

Parishes in the islands were large, partly because of the sparse population, and partly because of the difficulty of providing ministers.

1. Brand, Brief Description, 25 and 104.

2. RPC, vii, 260-1.

3. SRO, John MacGregor Coll., Transcripts of Argyll and Perthshire Deeds, Acc. of Vacant Stipends in Diocese of Argyll and the Isles 1671, pp. 134-5 (GD 50/188).

4. Id MacDonald Papers, Memorandum to Sir D. MacDonald from Knockbui c. 1700 (GD 221/7).

Throughout the seventeenth century the large islands of Islay and Lewis, for instance, were each divided into only two parishes.¹ In Orkney and Shetland some parishes had at some time in the past been combined with others to form still larger parishes. In Orkney one such parish was Sandwick and Stromness, where by the end of the seventeenth century the growth of the township of Cairston into a large village and trading centre had added further to the problems of the minister.² In Shetland the combined parish of Tingwall, Whiteness and Weisdale, which contained the growing town of Lerwick, presented similar difficulties.³

In these large parishes, which might contain several churches or places of worship where there was no church, ministers had much travelling to do in conditions which were frequently hazardous. The terrain was often difficult, and roads and bridges almost totally lacking. Moreover, parishes might consist of part or all of a number of separate islands, involving the minister in sea-crossings which could be both dangerous and long. In the Hebrides in the seventeenth century Gigha, Jura, Colonsay and other smaller islands formed one parish; and the minister of Sleat in Skye had also to serve the four Small Isles of Eigg, Canna, Rhum and Muck.⁴ In Orkney, Rousay and Egilsay formed one parish, South Ronaldsay and Burray another.⁵ In Shetland the huge parish of Dunrossness, which included all the mainland south of Quarff, also incorporated

1. E.g. J. MacGregor Coll., Transcripts of Argyll & Perthshire Deeds, List of Parishes of Diocese of the Isles 1671, p. 138.

2. Brand, Brief Description, 51.

3. Ibid., 129.

4. Report by the Bishop of the Isles on the State of his Diocese 1626, De Rebus Albanicis, 122-5.

5. Brand, Brief Description, 54 and 60.

Fair Isle some twenty-five miles to the south; the parish of Walls and Sandness in the west mainland incorporated the nearby island of Papa Stour, and also Foula some sixteen miles west of the coast of Walls.¹ There is extant a report of 1627 on the state of the parish of Nesting and Lunnasting in Shetland. This gives a good impression of the difficulties facing the minister of a large parish with dependent islands. The parish of Nesting and Lunnasting also contained the large island of Whalsay and the smaller Skerries to the east. There were three churches; the one in Nesting and the one in Lunnasting were seven miles apart, and the third which lay in Whalsay was separated by a two-mile, dangerous sea-crossing from the nearest point in Nesting. The twenty or so inhabitants of the Skerries had to make their way to Whalsay over four miles of dangerous water to reach a church, and this they did regularly 'except storme of wether hinder'.²

Despite the amount of travelling ministers had to do and the exposed situation of many of the islands, manses, glebes and churches were often not provided or were in a ruinous condition. From the Hebrides there is a clear description of the plight of Mr Farquhar Fraser, minister of Tiree, in 1655. He complained to the presbytery of Lorne that, although a glebe and manse had been designated for him, 'he yit continues under great distress and disaccomodationnes through want of the same', and that, despite an act of the provincial assembly for the building of churches, no move had been made to build him a church in some central place in his parish.³ The minister of Lismore, however, was

1. Ibid., 125 and 142.

2. Reports on the State of Certain Parishes in Scotland 1627, (Maitland Club, 1835), 225-6.

3. A.F. Anderson, 'Notes from the Presbytery Records of Lorne', TGSI, xxxvi (1931-1933), 128.

much better off: in 1650 he had 'ane house, a barne, a kill [i.e. kiln] and a kaillyard' and he also possessed a glebe.¹

In Shetland the situation in some parishes was also very bad. A rental of the vicarages of Shetland (c. 1607-1612) records whether the parishes had manses and glebes; of the eleven parishes listed there, three (Aithsting and Sandsting, Delting, and Northmavine) were reported to have no manse or glebe while the manse of Yell was said to be unjustly possessed by the Earl of Orkney.² A century later, at least one minister had similar problems. Mr Robert Gray, minister of Nesting and Lunnasting, complained to the Earl of Morton that the two mainland churches of this parish had both, until recently, been 'in rubish', the church in Whalsay had to be shored up, there was no habitable manse, and the glebe consisted of four separate patches of land.³

At the beginning of the seventeenth century the parishes of Orkney were better provided with manses and glebes than were those of Shetland. The Books of Assignation and Modification of Stipends contain records of the Orkney parishes as early as 1607 and 1608. These show that all eleven of the landward parishes which were then served by a minister had a manse and glebe, (for two other parishes which were then vacant the information is not given).⁴ These records do not describe the state

1. *Ibid.*, 128.

2. Mr J. Pitcairn, 'The Just Rentelis of the Benefices Callit the Vicarages', printed in G. Goudie, The Celtic and Scandinavian Antiquities of Shetland (Edin. 1904), 155-7.

3. Morton Papers, Grievances of Robert Gray to the Earl of Morton, n.d. - after 1703 (GD 150/1898/19).

4. Exchequer Recs., Bks of Assignation & Modification of Stipends 1607, fo.3; and 1608, fo. 2 (E 47/9).

of the manse or churches of a parish, but a petition of 1701 from the minister of Evie and Rendall to the treasury shows that in this particular parish their condition was extremely poor: the manse was 'wholly ruinous, and needs to be rebuilt from the very foundation, and likewise both the churches of the saidis united parishes are ruinous'.¹

It is possible that the plight of the minister of Tiree in the Hebrides was exacerbated by the troubles of the civil war period, for MacLean of Duart, the owner of the island, had been a supporter of Montrose. But it is unlikely that this was the whole explanation. The heritors (landowners) of a parish were the people responsible for the upkeep of churches and manses and the provision of glebes. We have already seen how hard pressed for money were most of the heritors of the Western Isles; and in Orkney and Shetland, apart from the crown and the bishopric, there were no very large heritors - indeed many heritors owned only tiny pieces of land and were often extremely poor.² The upkeep of the church buildings was probably a burden greater than many heritors were either able or willing to bear. It is probably significant that in the early eighteenth century the church of Nesting in Shetland, which had been in ruins, was rebuilt by the common people with the minister himself paying for the roof.³

Ministers' stipends were in most cases small by the standards of the time in Scotland. Under regulations of Charles I the minimum stipend was laid down as 800 merks or £533-6-8d, but in very few parishes in the

1. Scarth of Breckness, Petition by Mr J. Gibson to the Treasury, 1701 (GD 217/1109).
2. See above, pp. 41-42 and 71-74.
3. Morton Papers, Grievances of R. Gray to the Earl of Morton, n.d.

Western and Northern Isles where the minister's stipend is known did it reach this figure. One of those which did amount to 800 merks was the stipend of Killarow and Kilchoman in Islay.¹ Other stipends in the Hebrides were much smaller. The stipend of Kilbrandon and Kilchattan, which embraced Seil, Luing and some land in mainland Lorne, was £73 in money together with sixty bolls of victual which fetched a varying price - £220 a year in 1664 and 1665.² The parish of Kilninian in Mull carried in 1670 a stipend of £333-6-8d.³ In 1698 the stipend of Harris was valued at 300 merks and three chalders (forty-eight bolls) of victual.⁴ In addition stipends, which in the Hebrides were usually payable by the heritors, were not always regularly paid: Farquhar Fraser, minister of Tiree, who, it will be recalled, had no manse or glebe, also complained that his stipend had been wrongfully withheld by Hector MacLean of Torloisk for the preceding four years.⁵

There is evidence that some ministers in the Western Isles augmented their income through renting lands. According to the Islay rental of 1686, Mr Patrick MacLaughlan held part of Dunnivaig and Keanchyllan as well as the island of Texa; and Mr John Campbell held Kilchoman, Grosprig and other lands in the Rhims of Islay;⁶ these two men were almost certainly the ministers of the two parishes in Islay. Mr John Campbell, minister of Harris, held three and a half pennylands in Eye and the island

1. John Macgregor Coll., Transcripts of Argyll and Perthshire Deeds, List of Kirks and Stipends 1670, p. 126.

2. Ibid., Acc. of Vacant Stipends of Argyll 1664-1665, p. 23.

3. Ibid., Acc. of Vacant Stipends of Argyll 1667-1670, p. 71.

4. MacLeod Papers, Rental of Harris 1698 (box 22).

5. Anderson, 'Presbytery Recs. of Lorne', 128.

6. Rental of Islay 1686, Bk of Islay, 492-4 and 505.

of Ensay in 1680; by 1698 his holding had been extended to the whole five and a half pennylands there which he held almost rent-free in lieu of his teinds.¹ By subletting or farming these lands the ministers would make a living in the same way as other tacksmen.

In Orkney, too, stipends were small. In 1614 when the crown and bishopric lands were separated, new rates of stipend were fixed for ministers. Ministers in the parishes where the bishopric held lands were to be paid in kind (butter and malt) the value of which varied from year to year, but ministers in crown parishes were to be paid in money, from 200 merks to the ministers of South Ronaldsay and Stronsay respectively to 400 merks to the ministers of Birsay and Harray, and Deerness and St. Andrews.² Besides these sums the ministers had the vicarage teinds of their parishes which could be worth up to about 200 merks.³ The stipends were payable by the crown or crown titular in parishes where the crown held lands, and by the Bishop of Orkney in the parishes where the bishopric held lands. There is no evidence that any serious arrears developed. Despite the small size of the Orkney stipends, according to Brand the ministers could 'live very well upon them, victuals being had at an easie rate'.⁴

Many Orkney ministers, as testaments show, supplemented their income by farming. Mr Henry Smith, minister of Shapinsay, for example, owned four cows and two followers, four horses, sheep worth £40, and crops

1. MacLeod Papers, Rentals of Harris 1680 and 1698.
2. Morton Papers, Letter anent the Provision of Stipends for the Kirks of Orkney, 22 Nov. 1615 (GD 150/1898/1).
3. Craven Bequest, Fragment List of Ministers' Stipends n.d. (GD 106/266).
4. Brand, Brief Description, 62.

to the value of £138 when he died in 1658.¹ Mr Walter Stewart, minister of South Ronaldsay, was not only a farmer with horses, cattle, sheep and crops, but also a considerable landowner, for the debts owed to him on his death in 1652 included landmails from his tenants in South Ronaldsay valued in money at £666.²

Shetland ministers throughout the seventeenth century were paid either directly, or indirectly through tacksmen, out of the teinds collected in the parishes. Hugh Leigh, minister of Bressay and Burra, described the stipends as small, five of the eleven ministers being paid in money by lay vicars, and the other six collecting the teinds of fish, butter, lambs and other local produce from the people of the parish.³ Brand tells us that one of the grievances of the ministers was that the lay vicars 'do not only oppress the people, but are uneasie to the ministers, not paying them what they are obliged to pay till they please, which often they will not do for some years'.⁴

The ministers of Shetland were able to supplement their income by a variety of other means. Mr Gilbert Mowat of Garth, minister of Northmavine in the 1620s and 1630s, was an important landowner in the north mainland of Shetland.⁵ Many, like Mr William Campbell, minister of Fetlar, were farmers; Campbell owned six horses, four oxen, fifteen cows, a few sheep and some grain when he died in 1686.⁶ Mr Robert

1. O & S Tests., vii, fos. 52-53, conf. 16 Dec. 1663.

2. Ibid., iv, Test, of Mr W. Stewart, conf. 14 Aug. 1654.

3. H. Leigh, 'A General Geographical Description of Zetland' (c.1669-1689), Macfarlane, Geog. Colls., iii, 254.

4. Brand, Brief Description, 147.

5. PRS O & S, Shetland, ii, fos. 41-43, regd. 31 Aug. 1624.

6. Neven of Windhouse Papers (Busta House, Brae, Shetland), Test. of Mr Wm Campbell, conf. 7 July 1686 (location: deed box 3).

Swinton, minister of Walls, had not only farming but also fishing interests, for he owned three fishing boats and four old herring nets when he died in 1612.¹ In view of their small stipends, and in some cases the uncertainty of payment, it was probably a near necessity for Shetland ministers to have some other source of income.

The difficulties of remoteness, travel, shelter and small stipends sometimes irregularly paid, meant that it was not easy to attract ministers. Changes in the form of the reformed church government also caused problems in some places. In general, neither the clergy nor the laity of the Northern Isles were rigid adherents of presbyterianism or episcopacy; but over much of the Hebrides, in the islands where Roman Catholicism did not have sway,² episcopacy (which was associated with the Stewart cause) had the support of clergy and laity alike. In 1695 after the presbyterian settlement of William of Orange, Sir Donald MacDonald of Sleat wrote to his doer in Edinburgh, referring to a certain petition of the ministers of Skye, 'The people here will be in a sad plight if it be deny'd, for they will never accept of presbyterian ministers, and those they have will immediately silence themselves as they had done before now if I had not persuaded them to the contrar.' In 1698 he wrote that one minister, Mr Donald MacQueen, had 'silenc'd himselfe' for the preceding two years.³

Considering the problems and disadvantages faced by the clergy in the island parishes, Orkney and Shetland were fairly well supplied with ministers even in the early years of the seventeenth century. In Orkney in 1607 only two of the fifteen parishes were vacant, though the

1. O & S Tests., ii, fos. 176-7, conf. 20 Aug. 1616.

2. See below, p. 257.

3. Delvine Papers, Letters of Sir D. MacDonald to Mr J. MacKenzie, 22 Nov. 1695 and --- 1698 (MS 1307, fos. 133r and 153r).

incumbent of a third - St. Ola - was only a reader. The qualifications of some of the ministers were not as high as the church desired, for only five of the twelve ministers serving in 1607 were described as Masters i.e. Masters of Arts of a university.¹ But it was not long before qualifications improved: in a receipt for stipends paid by the tacksman of the crown lands in 1624 six of the eight ministers named were designated Master (Mr),² and in a list of receipts for stipends paid by the Bishop of Orkney between 1633 and 1638, all of the seven ministers mentioned were designated Master.³ In neither case was any parish vacant.

In Shetland in 1607 only two of the eleven parishes were vacant,⁴ but one of these, the parish of Bressay and Burra, was said in the rental of benefices of c. 1607-1612 to have been vacant for fifteen years.⁵ Two other parishes (Aithsting and Sandsting, and Nesting and Lunnasting) had only readers, and of the ministers named in 1607 only two were said to be Masters.⁶ There is no known systematic list of ministers in Shetland parishes for any one year later in the seventeenth century, but the author has seen no reference to any minister not designated Master in the second half of the seventeenth century.

The earliest general view of the supply of ministers in the Western Isles comes from a report of 1626 made by Thomas Knox, Bishop of the

1. Bks of Assigation etc. of Stipends 1607, fo. 3.
2. O & S Papers, Receipt by Ministers to Sir J. Buchannan, 21 and 22 Oct. 1624 (RH9/15/195).
3. Ibid., Receipts by Ministers to the Bishop of Orkney 1633-1638 (RH 9/15/196).
4. Bks of Assigation etc. of Stipends 1607, fo. 2.
5. Pitcairn, 'The Just Rentelis', 156.
6. See above, note 4.

Isles, on the state of his diocese. Here, too, we find that many islands were surprisingly well provided. Skye had three ministers and a reader; Mull also had three ministers; Islay had two; and Harris, Coll and Tiree one each. Less satisfactory was the situation in Gigha, Jura and Colonsay which had only one minister among them, but Colonsay had its own reader 'in respect the two iles Jura and Giga plotted for one minister ar so far distant'. Worst provided were the Uists and Barra: the whole of Uist had only one minister, Donald MacMillan, 'ane verie auld man'; Barra had no minister of its own, but was served by the minister of Harris, which lay some fifty miles to the north.¹ It seems most unlikely that he could have devoted much time to the inhabitants of Barra. In these circumstances it is not difficult to understand how a small number of Roman Catholic missionaries sent to the Highlands and Hebrides from Ireland in the 1620s and 1630s and again after 1650 revived the old faith in Barra, South Uist, Eigg and Canna.² The chiefs and main proprietors there, the MacNeils of Barra and the MacDonalds of Clanranald, together with almost the entire population, remained steadfastly Roman Catholic for the rest of the century.³

From c. 1670 several lists of ministers in the Hebrides have survived, and these show that some improvements had been made in the provision of clergy. Skye had by this time five ministers, and South Uist and Barra had one between them, although with the great resurgence of the

1. Report by Thomas Knox, 1626, printed in *De Rebus Albanicis*, 122-5.
2. C. Giblin, *Irish Franciscan Mission to Scotland 1619-1646* (Dublin, 1964), esp. intro. pp. vii-xv; and *The Book of Barra*, ed. J. Lorne Campbell (London, 1936), 7-21. These books give very well documented accounts of the activities of catholic priests in the Hebrides in the seventeenth century.
3. NLS, Campbell of Argyll Papers, Particular Condescendence of Grievances from the Encresce of Poperie, 19 May 1714 (MS 976, fo. 143v).

Roman Catholic faith there he cannot have had many duties to perform.¹ Vacancies, however, were sometimes long: Barvas parish in Lewis is known to have been vacant from 1668 to 1671;² and Kilbrandon and Kilchattan, which contained Seil and Luing, was vacant from 1664 (or before) until 1669.³ As in the Northern Isles, the educational qualifications of ministers improved considerably in the course of the seventeenth century. In the report of 1626 only seven of thirteen ministers mentioned by name (from parishes excluding Bute, Arran and Cumbrae) were described as Masters,⁴ but in a list of the incumbents of parishes in the diocese of the Isles in 1669, all fifteen ministers named were designated Master.⁵

If it was difficult to provide ministers in the islands, it was infinitely more difficult to provide schoolmasters, who, by the terms of several seventeenth century acts of the Privy Council and parliament, were supposed to be provided in every parish under the supervision of the church. The earliest of these, a Privy Council act of 1616, also aimed to root out the Gaelic language (which was associated by the government with barbarism), and it has been claimed that its insulting terms may have retarded the provision of parish schools in the Highlands and Western Isles. While there may be a grain of truth in this, there was another cogent reason for the lack of schools both in the Hebrides,

1. J. MacGregor Coll., Transcripts of Argyll & Perthshire Deeds, List of Parishes in Diocese of the Isles 1669, pp. 96-97.

2. Ibid., 97.

3. Ibid., Acc. of Vacant Stipends of Argyll 1664-1668, pp. 23, 46 and 70; and List of Kirks Planted 1669, p. 75.

4. Report by Thomas Knox 1626, 122-5.

5. See above, n. 1.

and in the Northern Isles where Gaelic was not spoken. By a parliamentary act of 1633 the heritors of a parish were to be taxed to pay for the school and the schoolmaster. We have already seen that many of the heritors in the Western Isles were in grave financial difficulties while in the Northern Isles where large proprietors were very few, little could be done without substantial help from the owners of the crown and bishopric estates, and in the seventeenth century this was not forthcoming.

Legislation for a school in every parish, even if it had been operated in the islands, would have done little to meet the educational needs of these areas. For wherever the schools had been sited, they would have been inconvenient for many parts of the large island parishes and would have served only a small fraction of the population. There were, however, very few schools in any of the island groups in the seventeenth century.

From incidental references in reports of the synod of Argyll, Donald Budge has compiled a list of schoolmasters employed by it. This list includes five men who were teaching in the Western Isles between 1660 and 1700. The earliest of these was William MacKenzie who was teaching at Duntulm, Skye (seat of the MacDonalds of Sleat), in 1660. In 1696 Alexander Robinson was teaching in the parish of Snizort in the same island and in the island of Raasay. A third schoolmaster in Skye was Lachlan MacKinnon who was working in Strath in 1700. In Islay Archibald Campbell was teaching in Killarow in 1696; and in Jura Alexander Buchan was a schoolmaster from 1700 to 1702.¹ Apart from these, however, the author has found no other references to teachers in the Western Isles in the seventeenth century.

1. D. Budge, Jura: An Island of Argyll (Glasgow, 1960), 105.

In Shetland the state of education was little, if any, better.

Brand commented that the inhabitants were ignorant in matters of religion probably through 'want of convenient schools for the instruction of their youth in many places'.¹ Documentary references to schoolmasters outside the two small towns of Scalloway and Lerwick are rare. Robert Spence in Quendale (1656), Mr William Binning in Papa Stour (1688), and Mr John Carnegie in Unst (1693), all witnesses to sasines, are the only names discovered by the author.² In Orkney, too, references to schoolmasters except in Kirkwall are very few. Patrick Cock, schoolmaster in Stromness, a growing trading centre in the west mainland, purchased a tenement of land there in 1660.³ David Thomason, witness to a bond in 1683, was described as schoolmaster, reader and precentor in Birsay.⁴ From South Ronaldsay, however, comes more detailed evidence which shows that here there was some attempt to retain the services of a schoolmaster for a few years at a time. In 1633 Andrew Strang, messenger, entered into a three-year contract to become reader and schoolmaster in South Ronaldsay, while the minister, Mr Daniel Callendar, and Hugh Halcro of that ilk, the main landowner there, with several other residents bound themselves to pay him twelve meils of malt a year and provide a schoolhouse.⁵ In 1694 Mr John Davidson, a school-

1. Brand, Brief Description, 103.

2. PRS O & S, Shetland, iii, fo. 416r; 2nd series, iv, fo. 338r; and v, fo. 1v.

3. PRS O & S, 2nd series, ii, fos. 96-97.

4. Fea of Clestrain, Bond by J. Craigie to Mr Wm Davidson, 18 May 1683 (GD 31/130).

5. Craven Bequest, Contract betw. Mr D. Callendar et al. and A. Strang, 1 Nov. 1633 (GD 106/110).

master in Kirkwall, entered into a contract of similar length to reside in South Ronaldsay and educate the children of Alexander Stewart of Massetter and ten other men, mainly heritors and merchants, in Latin, English and arithmetic for an annual salary of £48.¹

The few small towns in our island groups were, as might be expected, better provided with schools than the country areas. In the Western Isles Stornoway, the only significant centre of population, had by the end of the seventeenth century a school in which latin and English were taught.² John Morison, a resident of Lewis who wrote a description of that island some years before 1700, described the school in Stornoway as in a flourishing condition, established and maintained by the Earls of Seaforth, who owned Lewis. According to Morison, the inhabitants of Lewis and the adjacent islands benefited greatly since 'The gentlemen's sons and daughters are bred in that school to the great comfort of that people; so that there are few families but at least the maister can read and write. I do remember in my own time that there was not thrie in all the countrie that knew A.b. by a bible'.³

Throughout the seventeenth century there was a grammar school at Kirkwall in Orkney, to which Mr Andrew Dishington was presented as master in 1595 by the Earl of Orkney.⁴ Between the early 1650s and 1681 the master was a Mr John Dishington.⁵ Like the school at Stornoway,

1. Contract betw. A. Stewart and Mr J. Davidson, 20 Apr. 1694, printed in Old Lore Miscellany, v, (London, 1912), 147-8.

2. Martin, Description, 108-9.

3. Morison, 'Description of the Lewis', 215.

4. Scarth of Breckness, Inv. of Writs of Kirkwall Grammar School 1595-1660 (GD 217/388).

5. Ibid.; and O & S Tests., xi, fos. 33-34, conf. 15 June 1681.

Kirkwall Grammar School catered for the children of the local gentry: landowners, ministers and doubtless also businessmen in the town. Between 1655 and 1658 Harry and Walter Stewart, sons of Mr Walter Stewart, late minister of South Ronaldsay, were pupils;¹ and between 1660 and 1662 Harry and James Graham, sons of John Graham of Breckness, the biggest private proprietor of land in the parishes of Sandwick and Stromness, were attending the school.²

The witness lists of sasines reveal the names of three seventeenth century schoolmasters in Scalloway, Shetland: John Yeat (1659), Mr Alexander Craig (1674 and 1680), and Mr William Binning (1689), whom we have already encountered teaching in Papa Stour in the previous year.³ At Lerwick between 1678 and 1689 Mr Walter Innes is known to have been teaching, and in a sasine of the latter year he is referred to as 'teacher of the gramer schooll at Learwick'.⁴ The grammar school was, however, shortlived, for in 1700 Brand stated that there was no Latin school in Shetland,⁵ and in 1733 Gifford reported that the only school in Shetland was an itinerant one which had visited several parishes.⁶

1. SRO, Stewart of Massetter Papers, Receipts by Mr J. Dishington to the Laird of Mains, 14 Nov. 1655 to 7 Aug. 1658 (GD 195 box 6, nos. 108-111 and 117).
2. Scarth of Breckness, Discharge by Mr J. Dishington to J. Graham of Breckness, 10 Apr. 1662 (GD 217/902/1).
3. PRS O & S, Shetland, iii, fo. 461r; 2nd series, iii, fo. 100v and fo. 349v; and iv, fo. 381r.
4. Ibid., 2nd series, iii, fo. 226v; and iv, fo. 386v.
5. Brand, Brief Description, 103.
6. Gifford, Historical Description, 31-32.

It should be noted that for the wealthiest families in all our island groups there was an alternative to using whatever local educational facilities there were. They might send their children to schools in the Lowlands. The Statutes of Iona (1609) had made it compulsory for gentlemen in the Western Isles whose wealth amounted to the value of sixty cows to send their eldest sons to Lowland schools to learn the English tongue; and the Privy Council regulations of 1616 made the same provision applicable to all the children of Hebridean chiefs.¹ There is not sufficient evidence to judge how generally these regulations were observed, but some chiefs and gentlemen certainly followed them. The MacLeods of Dunvegan, for example sent away to school not only the sons of the family, but later in the seventeenth century also the daughters. Among the MacLeod Papers is an account of 1695 for the education of Mistress Janet MacLeod in dancing, playing the virginals and writing (in that order) under the tuition of Mrs Jean Straiton, schoolmistress in Edinburgh.² A lesser gentleman, Ronald MacDonald of Benbecula, a cadet of the Clanranald family, in 1665 had two sons, Donald and Ronald, at school in Glasgow.³

In the Northern Isles there was no obligation on the wealthy to send their children to the mainland to school. In Orkney the grammar school at Kirkwall provided a suitable education for the sons of gentlemen, while the cost of sending children away to school was probably beyond the means of all but a few. Among those who had the means was

1. RPC, 1st series, ix, 29; and x, 775.

2. MacLeod Papers, Acc. to Mrs J. Straiton, 8 Apr. 1695 (box 25).

3. Clanranald Papers, Discharge by Agnes Shaw to James Campbell, 9 Aug. 1665 (GD 201/1/86).

Harry Graham of Breckness, whose daughters, Anna and Euphemia were being educated in Edinburgh in 1685.¹ The gentry of Shetland at the end of the seventeenth century (and probably also in earlier times) were in a dilemma. Because of the lack of a school teaching Latin, gentlemen had either to keep their children at home without 'that peice of learning which tends so much to form and polish their minds and to compleat them as gentlemen' or to send them away to school at great expense and over a dangerous sea-crossing.²

Among other categories of professional men found in our island groups were doctors and other medical men. In the Northern Isles their numbers were few. Shetlanders, wrote Mr Hugh Leigh, minister of Bressay and Burra in the late seventeenth century, were generally healthy. 'The physicians use not to get great employment among them'.³ The few medical men in Shetland included one Archibald Gibb, surgeon in Scalloway Banks, who was attorney to the granter in a sasine of 1679.⁴ From Orkney, too, there are few records of doctors or surgeons. Testaments record that Joseph Herd, surgeon in Kirkwall, died in 1656, and Mr Patrick Lindsay, physician there, in 1682.⁵ Between 1662 and 1665 Mr Matthew MacKaile, who wrote a short description of Orkney, practised as 'chirurgo-medicine to the sherifedome of Orkney', and receipts show that the gentry of Orkney had combined to pay him a salary, of which Graham

1. Scarth of Breckness, Acc. to Mrs Keill since Aug. 1685 (GD 217/1001).
2. Brand, Brief Description, 103.
3. Leigh, 'Gen. Geog. Description of Zetland', 250.
4. PRS O & S, 2nd series, iii, fo. 293r.
5. O & S Tests., iv, Test. of J. Herd, conf. --- Jan. 1656; and xi, fo. 99v, conf. 4 Sept. 1682.

of Breckness contributed £12.¹ The vast majority of the inhabitants of Orkney and Shetland, however, would have been too poor to afford the services of such trained medical men, and, no doubt, relied on some local person with an aptitude for healing.

Things were rather different in the Western Isles. Here there was a long tradition of hereditary physicians supported by the clan chiefs. Fergus MacBeth obtained a great seal charter of Ballinaby and other lands in Islay from James VI in 1609; with the lands went a grant for MacBeth's lifetime of the office of principal physician within the isles of Scotland (i.e. the Western Isles) to which his predecessors had been appointed by the Lords of the Isles. Before 1650 these lands had been sold to the Earl of Argyll, and there is no further reference to the MacBeths (also known as Beatons) as physicians in Islay.² A tombstone in Iona commemorates John Beaton, a member of the Mull branch of the family, who was physician to the MacLean family before his death in 1657.³ In Skye in the seventeenth century there were also Beatons practising medicine. It seems very likely that they were related to the MacBeths or Beatons of Islay and Mull although some of them, who spelled their name Bethune, later claimed descent from a man of Fife.⁴ In 1660 John Beaton, surgeon in Connista in Trotternish, gave a receipt to Clanranald for £100 from the teinds of South Uist for the maintenance of his son, Fergus, at college.⁵ John Beaton, surgeon in Sleat, probably not the same man,

1. Scarth of Breckness, Discharges by Mr M. MacKaile to J. Graham, 14 Nov. 1662 to 21 June 1669 (GD 217/905 and 992).
2. HMC, 4th Report, appx Scotland, Duke of Argyll, p. 480, no. 121; and PRS Argyll, 1st series, ii, fos. 145-7.
3. D. MacKinnon, 'The Genealogy of the MacBeths or Beatons of Islay and Mull', Caledonian Medical Journal, v (1902-4), 146.
4. Ibid., 151-3.
5. Clanranald Papers, Discharge by J. Beaton to Clanranald, 4 Oct. 1660 (GD 201/3/14).

witnessed a bond granted by Donald MacDonald, younger of Sleat, in 1690.¹ The Beaton connection with medicine continued into the eighteenth century, for in 1701 Donald Beaton, son of Farquar Beaton in Dunvegan, became apprenticed to James Nisbet, apothecary in Edinburgh.²

But the Beatons were not the only physicians in the Western Isles. Donald O'Conchur, 'mediciner', a member of an old medical family of Irish extraction resident in Lorne, obtained for 2,000 merks the wadset of a pennyland in Killeen, Mull, from John MacLean of Kinlochaline in 1668.³ From Skye, the poll tax returns of 1699 list John MacLean, surgeon, who must have been a very wealthy man as his contribution was assessed at £12, an amount higher than that paid by men whose possessions were valued at 10,000 merks.⁴ Between 1672 and 1693 a number of bonds were granted by the MacLeod chiefs to James Ross, surgeon in Skye. Ross was almost certainly a university-trained doctor and an incomer to the islands, since his surname shows that he did not belong to any of the old Gaelic medical families, and his wife bore the Lowland surname of Kerr.⁵ On similar grounds, MacLean may also have been a university-trained physician.

It is probable that in the kin-based society of the Western Isles, chiefs who patronised members of the medical profession would, in case of great need, make their services available to rank and file clansman.

1. Id MacDonald Papers, Bond by D. MacDonald to Aeneas MacDonald, 3 Mar. 1690 (GD 221/7).
2. MacLeod Papers, Indenture of Apprenticeship for Donald Beaton, 3 Nov. 1701 (box 24).
3. GRS, 3rd series, xxix, fos. 3-5, regd. 20 Jan. 1672; and D.S. Thomson, 'Gaelic Learned Orders and Literati in Medieval Scotland', Scottish Studies, xii (1968), 63-64.
4. Exchequer Recs., Poll Tax Returns, Note of the Poll Money received by the Collector of Inverness, 2 Feb. 1699 (E70/6/1), fo. 4v.
5. MacLeod Papers, Bonds by John and Rory MacLeod of Dunvegan to J. Ross, 5 Aug. 1672 to 24 Nov. 1693 (box 15F).

But the introduction of incomers like James Ross to a profession once the preserve of old-established families may be taken as a sign that this kin-based society was beginning to disintegrate as a consequence of the increasing contact of the chiefs and gentlemen of the clans with Lowland culture after the signing of the statutes of Iona.

It is significant that Martin, writing at the close of the seventeenth century, described many of the traditional and often hereditary military and civil offices of a chief's household in the past tense. He regarded it as a curiosity, for example, that MacNeil of Barra still employed a watch-officer or sentinel to stand guard over his house. The custom of employing stewards who had to know the pedigrees of all the clans of the Isles and take responsibility for placing them correctly at table had been, said Martin, 'laid aside of late'. The stewards, and the pursemasters who had charge of the chiefs' money, had been men with a hereditary right to their offices, and had each possessed a town and land for his service, which showed that they belonged to the social group of the tacksmen.¹

By the end of the seventeenth century the structure of appointments to the households of the chiefs had been considerably simplified. Estate records show that the main officials employed in the running of the estates were stewards (alternatively referred to as factors or chamberlains) who were also often the bailies in charge of the local courts. Each was responsible for the administration of a large area of land. MacLeod of Dunvegan, for example, had one chamberlain for the whole of Harris;² and Campbell of Argyll usually employed only one factor for

1. Martin, Description, 166-7, and 170-1.

2. MacLeod Papers, Bond by the Laird of MacLeod to R. Campbell, his chamberlain of Harris, 28 Feb. 1695 (box 15F, no. 132).

Nether Lorne, Seil and Luig.¹ As early as 1650, when Argyll appointed Hector MacLean of Torloisk and Duncan Campbell, uncle of Campbell of Lochnell, joint factors of this district, the appointments were not hereditary but held during the granter's pleasure, and payment was not a tack of land but 'a reasounabill allowance for thair paines'.² It is not known, however, whether hereditary appointment of chamberlains was or was not the general practice in other parts of the Western Isles in the seventeenth century. Under each chamberlain there were a small number of ground officers responsible for divisions of the district. In North Uist, for example, the exchequer rental of c. 1718 shows that there were two ground officers who both had small holdings of land rent-free for their services.³

Professional musicians - harpists and more frequently pipers - were still being supported by clan chiefs. According to the 1674 rental of the Duart lands in Mull, the harpist had the pennyland of Fanmore rent-free and claimed 'kyndnes thereto for his service';⁴ in Islay in 1686 John MacMichael, piper, held a half of the quarter land of Glenegedale in the parish of Kildalton at one third of the normal rent 'upoun the accompt of his service';⁵ and, as late as 1718, on the forfeited estate of Sleat in Skye Malcolm MacDonald had a rent-free holding in Calligarrymore for

1. E.g. Campbell of Jura, Discharge by J. Campbell to Duncan Campbell, factor of Luig and Nether Lorne, 4 Feb. 1659 (GD 64/2/8).
2. Campbell of Jura, Commission of Factory by Argyll to H. MacLean and D. Campbell, 1 Jan. 1650 (GD 64/2/1).
3. Exchequer Recs., Rental of N. Uist c. 1718.
4. Rental of Duart 1674, Highland Papers, i, 280.
5. Rental of Islay 1686, Bk of Islay, 499.

his services as a piper.¹ Musicians in the Highlands and Western Isles, as Derick Thomson has shown, also often came from succeeding generations of particular families, although he was not able to cite any seventeenth century instance from the Hebrides.²

The closely related professions of historians and bards (they are treated as one by Martin) were of ancient origin and had been highly respected by the clan chiefs of the Highlands and Hebrides. But by the end of the seventeenth century they appear to have fallen from favour in many places. According to Martin, they had once been feared by the chiefs and gentlemen of the clans for their truthful and often pointed comments on them in the poems which they composed, but respect for them had declined in the forty years before the time when he was writing, because, he said, of their growing insolence, and by the end of the seventeenth century they were being paid only a small salary.³ It is probable, however, that the true reason for the decline of the bards was more profound. Accustomed as they were to observing and portraying in verse the customs and habits of their chiefs, the bards were in an ideal position from which to view and criticise the gradual erosion of Celtic customs and infiltration of Lowland ways in the households of the chiefs before others were perturbed by the changes. It may be that this was the main reason for their decline in status. This argument is supported by a poem of Roderick Morison, a blind poet and harpist employed by Iain Breac MacLeod of Dunvegan. This poem, addressed to Iain's

1. Exchequer Recs., Rental of Sleat, 1718.

2. Thomson, 'Gaelic Learned Orders', 69-70. N.B. Thomson deals in detail only with harpists.

3. Martin, Description, 176.

son, Roderick, chief of MacLeod from 1693 to 1699, strongly criticises him for spending too much of his time and money in Edinburgh to the neglect of the traditional virtues of hospitality and patronage at home.¹

Martin's statements about the decline of the bards probably refer in particular to Skye where he lived, but in at least one Hebridean island the high status of bards appears to have continued into the eighteenth century. This was South Uist where the Clanranalds were the patrons of the longest surviving and most celebrated of the hereditary bardic families, the MacMhurichs, from the late sixteenth century when they moved from Kintyre to South Uist until well into the eighteenth century. Cathal MacMhuirich was alive and writing poetry for Clanranald until at least 1661, and Niall MacMhuirich, a younger member of the family, wrote in the later seventeenth and early eighteenth centuries. In return for their services, the MacMhuirichs held the lands of Driomasdal and Stadhlaignearraidh. Donald MacMhuirich, nephew of Niall, had a tack of the latter in 1707 by the terms of which the family were required to be bards and historians and to train members of their family to succeed them in these duties.²

The MacMhuirich tack of 1707 illustrates the close relationship between the professions of historians and bards. But that relationship was only the most notable among a number of connections between one Gaelic profession and another. We have seen that Roderick Morison, the bard was also a harpist. Sometimes also a member of a family mainly associated with one profession might enter a different profession. John Beaton, who

1. The Blind Harper, ed. W. Matheson (Edin. 1970), 58-73.

2. D.S. Thomson, 'The MacMhuirich Bardic Family', TGSI, xliii (1960-63), 295-301; and 'Gaelic Learned Orders', 73.

was almost certainly the second son of John Beaton, the Mull physician who died in 1657, became a minister of the reformed church in Mull in the late seventeenth century.¹

In Orkney and Shetland where large estates were few, most landowners had no need of the services of professional estate administrators. Some of the largest proprietors, however, certainly employed chamberlains. The Earl of Morton, during the period when he held a wadset of the crown lands in the islands, employed at least one chamberlain in Orkney and another in Shetland. These offices, as might be expected in a society which was not based on the survival of a historic kindred group, were not hereditary, but were held for a limited period: David MacLellan of Woodwick was in 1648 appointed chamberlain of Orkney for a seven-year term;² and in 1654 Ninian Neven of Windhouse was made chamberlain of Shetland for only one year.³ Much less is known of the administration of the largest private estates in the Northern Isles. In Orkney in 1676 Buchanan of Sound employed a chamberlain, James Oswald, for his lands of North Ronaldsay;⁴ and in Shetland in 1612 Sinclair of Quendale had an arrangement with Robert Swinton, minister of Walls, by which the latter acted as factor for Sinclair's lands in that parish.⁵ The scattered nature of the larger estates in the Northern Isles must have

1. Edward Lhuyd in the Scottish Highlands 1699-1700, eds. J.L. Campbell and D.S. Thomson (Oxford, 1963), 14-17.
2. Morton Papers, Commission by Morton to D. MacLellan, 18 Aug. 1648 (GD 150/2534).
3. Ibid., Commission by the Earl of Dunfermline to N. Neven, 27 June 1654 (GD 150/2534).
4. Dick-Lauder Papers, Rental of North Ronaldsay 1676.
5. O & S Tests., ii, fos. 176-7, Test. of Mr R. Swinton, conf. 20 Aug. 1613.

made it very desirable for the proprietors to come to such an arrangement with prominent and responsible persons resident in the parishes where their lands lay.

Another consequence of the absence in the Northern Isles of very large estates with proprietors who felt themselves responsible for maintaining a strong social bond between themselves and their tenants large and small was that there was no elaborate structure of household appointments - officers responsible for etiquette, bards, musicians etc. A society in which there were many landowners and much buying and selling of land did, however, provide much work for another group of men, namely the lawyers. Notaries public flourished particularly in Kirkwall where, for instance, between 1666 and 1669 the testaments of three notaries, Magnus Spence, Andrew Strang and James Georgeson, were recorded.¹

Our review of non-agricultural work within the community has necessarily embraced a large number of diverse occupations. The work undertaken by the generality of small farmers (fishing, fowling, peat-cutting etc.) was very similar in all our island areas. There were differences of emphasis, for instance, in the extent to which fishing was pursued; but the range of activities was governed by two factors which were broadly similar throughout the islands: the basic needs of the small farmers' households, and the opportunities offered by their physical surroundings to satisfy those needs.

The types of craftsmen serving the community were also very much

1. O & S Tests., viii, pp. 230-3, conf. 10 Jan. 1666; and x, fo. 11, conf. 19 June 1667; and fo. 100, conf. 21 July 1669.

alike in Orkney, Shetland and the Western Isles. There was a common demand for such basic crafts as weaving, tailoring, shoe-making, joinery and smith-work; but only in the few small towns, and at the residences of important proprietors in the Hebrides, was there a demand for more sophisticated crafts.

It is in the categories of professional men employed in the islands that some sharp differences emerge between the society of the Western Isles and that of the Northern Isles. In all areas the supply of ministers by the later years of the seventeenth century was quite good in view of the problems presented by the large and poor island parishes; schoolmasters, on the other hand, were everywhere scarce. But, whereas in the Hebrides a variety of professional men often from traditional professional families were patronised by the main proprietors in their capacity as chiefs of clans, this was no part of the culture of the Northern Isles. In Orkney and Shetland, however, the sale of large numbers of small estates, the legacy of Norse udal laws, provided opportunities not available in the Western Isles or in other country areas of Scotland for a number of lawyers to make a living.

Chapter VI

The Pattern Of Trade

We turn now to the distribution of the produce of the islands, to what was exported from them and what was imported in return. Many of the sources for this chapter are the same as those drawn upon in our discussion of agriculture and other occupations within the community: topographical descriptions, testaments, court records and a variety of estate papers among which accounts, contracts and the discharge side of rentals are especially valuable. Among seventeenth century public records two in particular proved useful: The Register of the Privy Council of Scotland, which contains some early information on the cattle trade from the Western Isles; and a few surviving customs accounts from the period 1668 to 1681, relevant to the foreign trade of Orkney and Shetland.

Conditions in the Hebrides in the late sixteenth and early seventeenth centuries were highly unfavourable for the pursuit of trade. For commerce to flourish a general state of peace and order is a prerequisite, but in the Western Isles at this time there was no dominant clan chief such as the Lord of the Isles had once been, and the crown had not yet been able to exert effective control over the area. There were several bitter and violent clan feuds;¹ rival clans raided and laid waste each

1. See above, p. 6.

other's lands, the attention of chiefs and their followers was largely devoted to the arts of war, and the general atmosphere encouraged acts of lawlessness.

Nevertheless, even at this time there was some trade between the Western Isles and other places. An entry in the Privy Council records of 1609 shows that marts and horses were regularly exported from Mull and probably from other islands as well. MacLean of Duart, MacDonald of Duni-vaig and others complained that they were unable to pay their land duties to the crown because of a government proclamation forbidding anyone to buy marts, horses and other goods in Mull or elsewhere in the Western Isles, 'the said Yllismen having no utheris meanis nor possibilitie to pay his Majesteis dewyteis bot by the seale of thair mairtis and horss, and the buying of suche commoditeis being in all tymes bigane a free, constant and peceable trade to the merchantis alsweill of Ergyll as of the incuntrey'. The offending proclamation was rescinded.¹

Merchants came to Mull not only from Argyll but also sometimes from Glasgow. Peter Lymburner, burgess of that town, made a complaint to the Privy Council that in June 1581, while he was 'travelling in the Ile of Mule in his vocation and trade of merchandice', he was waylaid by a number of MacLeans who attacked and wounded him and stole 'his haille pack of mercheandice wairis worth thrie thowsand merkis'.² Precisely what the merchandise was that Lymburner intended to sell in Mull is not known, although since he appeared to be travelling alone, it cannot have been very bulky.

One of the main imports into the Hebrides at this time was wine. The Statutes of Iona (1609) inveighed against the Islemen's 'extraordinair

1. RPC, 1st series, viii, 757-8.

2. Ibid., vi, 141-2.

drinking of strong wynis and acquavitie' and decreed that imported liquor should be destroyed. No-one was to be allowed to import wine or aquavita^e for sale in future although gentlemen were to be allowed to purchase liquor in the Lowlands for the use of their own households.¹ A few pieces of evidence survive which show that the Islesmen obtained liquor not only from the Lowlands but also sometimes from passing ships. In 1611 in the course of a land dispute between MacKenzie of Gairloch and MacLeod of Raasay, Gairloch hired a ship which 'then by chance happened to ly upon that coast' and sailed to Raasay where MacLeod, sighting the ship in harbour, went aboard to buy some wines and other goods.² The following year Neill Og MacNeil, son of the laird of Barra, was ordered to be committed to ward in Edinburgh for spoiling a ship belonging to Abel Dynneis, a merchant of Bordeaux. This ship was said to be laden with Spanish wine and lying at anchor off Barra at the time of the offence; it is possible that the crew had hoped to sell some wine to local people in Barra or South Uist.³

Other goods which must have been imported into the Hebrides include iron for the making of tools and weapons, and grain to make good local deficiencies which were bound to occur from time to time. Doubtless, some grain was sent from one island to another, both in the course of legitimate trade and probably also when lands were raided; but another source of supply was Ireland, where the clan chiefs of the Western Isles had many contacts. An untitled paper in the Denmylne collection relates

1. Ibid., ix, 28. N.B. Much aquavita^e was locally produced.
2. SRO, Warrender Papers, vol. B, fo. 13, 'Some Trouble in the Ile of Rasey, 1611' (GD 1/371/3).
3. RPC, 1st series, ix, 318.

that because of the help being given by the rebels in Ireland to the rebels of Islay in 1615, the authorities in Ireland had been requested to see that 'no supplie nor ayd in poulder, armour nor victuales come heere to our rebelles from Yreland'.¹

There is no doubt, however, that at the beginning of the seventeenth century the Western Isles were more self-sufficient than they were to become by 1700. In the later years of the seventeenth century we have seen that the rents paid by tenants in very many of the Hebridean islands had a large monetary element.² The payment of money implies trade, by means of which that money would be obtained. But in the late sixteenth century the rents of various islands, as outlined in the anonymous description of the Western Isles, included very little money, and in some cases none at all. In many islands, such as Lewis, Skye, the Uists and Mull, a large part of the rent was the cuddich or supply of food to the landlord and his followers (who might number hundreds) when they visited the island. The rest of the rent was paid mainly in kind - generally grain, butter, cheese, marts and wethers - much of which must have been consumed in the households of local chiefs and gentlemen with their numerous retainers and traditions of hospitality.³

The measures taken by James VI in and after 1609 to subjugate the Hebrides soon created much more peaceful conditions,⁴ but they could not achieve instant respect for the rules of commerce. Incidents like

1. Highland Papers, iii, Denmylne MSS, no. 109, pp. 258-9.

2. See above, pp. 97-99, 119-121.

3. Skene, Celtic Scotland, iii, 428-440, especially pp. 429-30, 432, and 435.

4. See above, pp. 7-9.

the spoiling of Abel Dynneis's ship, previously referred to, continued to occur from time to time; and the development of commercial fishing was hampered until at least 1635 by the molestation of fishermen from the royal burghs and later from the Association of Royal Fishing of Great Britain and Ireland at the hands of islanders, particularly Clanranald and his followers, who 'violently spoyle his Majesties subjects of their fisches and sometimes of their victualls and other furniture and persewes thame of their lyffes'.¹ Nevertheless, the policies of James VI gradually paved the way for an increase in trade between the Western Isles and the mainland of Scotland. The most important single aspect of this was the spectacular growth in the live cattle trade from the islands to the market towns of Falkirk, Crieff and others in central Scotland.

Before this time it is probable that most of the cattle exported from the Western Isles were killed and cured locally and sent away as marts. It is clear from the anonymous description of the Western Isles c. 1577-1595 that marts rather than live cattle were payable as part of the rent of land all over the Western Isles; and, as we have seen, it was marts and not live cattle which were cited in the 1609 complaint to the Privy Council as one of the chief exports of the Hebrides.² In 1622, however, we learn from another complaint to the Privy Council, made this time by Sir Rory MacKenzie of Coigach, who was overseeing the finances of the impecunious Hector MacLean of Duart, that live cattle (and horses) were crossing at the ferries from Mull to mainland Lorne where John MacDougall of Dunolly was illegally exacting a toll on them.³ From 1635

1. RPC, 2nd series, vi, 96.

2. Ibid., 1st series, viii, 757-8.

3. Ibid., 1st series, vii, 698.

a contract is recorded for the sale by John Campbell, fiar of Calder, to Patrick Gaile MacFarlane, a Glasgow merchant, of a large number of cows including 183 Islay cattle at a price of £2,000.¹

By the later years of the seventeenth century the trade in live cattle from the Western Isles had become a huge business in which landlords, tacksmen and small tenants were all in some way involved. Extant contracts for the sale of cattle show that a variety of commercial arrangements were made. The most usual way of doing business seems to have been as follows: in the spring or early summer a cattle drover made an agreement with a proprietor to uplift at a fixed price a number of cows belonging to that proprietor or his tenants, and drive them to the Lowland markets to be sold by the drover to recoup his outlay and provide him, he hoped, with a profit; the proprietor gave the drover a sum to cover the expenses of the drove, and men to assist him on the journey. Thus in April 1682 John MacLeod of Dunvegan made a contract with a drover named Alexander MacLeod by the terms of which the drover was to 'uplift the hail kowes payable for the said John MacLeoid his rent and dryve the same to the ordinary mercats'; for the cows from MacLeod's lands in Skye he agreed to pay seventeen merks each, while Dunvegan was to pay him 450 merks for his expenses and supply him with a sufficient number of men to handle the drove.² Sometimes the drover agreed to pay a substantial sum to the proprietor in advance, an arrangement particularly attractive to the various proprietors whose finances were in a precarious state. An agreement of this type was made in March

1. Book of Islay, 387n.

2. MacLeod Papers, Contract betw. J. MacLeod of Dunvegan and A. MacLeod, drover, 28 Apr. 1682 (Box 25).

1677 between Sir James MacDonald of Sleat, a proprietor with vast debts, and Allan MacDonald, a drover, whereby Sleat contracted to sell him 400 cows at nineteen merks each; of this sum 2,500 merks were advanced to Sir James when the contract was made, together with another 500 merks paid to other people at Sleat's order.¹

In the agreements discussed above it was the drover who provided most of the initial capital outlay for the drove, but sometimes it was the proprietor himself who was the capitalist, arranging a drove at his own expense and selling his cows directly at the Lowland cattle markets. In 1680 Sir Donald MacDonald of Sleat agreed to appoint factors for a four year period to uplift the rents from his lands in Skye for the relief of his creditors; the factors were instructed either to sell the cows to merchants or to carry them to market to be sold there 'at the best avails and rates [which] can be had'.² In normal circumstances proprietors appear to have preferred to use the former, less risky method; but when political conditions were disturbed, drovers were unwilling to make contracts and proprietors were sometimes obliged to deal directly with the cattle markets. This was the reason given by Sir Hugh Campbell of Calder in a letter to his factor in Islay in May 1689 (a time when troops were being raised in neighbouring Mull to join Dundee's campaign on behalf of James VII) for raising a drove 'on [his] own venture' and giving his tenants a reasonable price for their cattle although he was uncertain of the price they might fetch on the market.³

1. *Ld MacDonald Papers*, Decreet in favour of Mr Wm Murray, 16 July 1678 (GD 221/6); and see above, p. 73.
2. *Ld MacDonald Papers*, Contract betw. Sleat and Sir Geo. MacKenzie of Tarbat et al., 17 Mar. 1680 (GD 221/6).
3. *Bk of Islay*, 419n., Letter from Sir Hugh Campbell of Calder to Archd Campbell of Octomore, 29 May 1689.

This evidence is supported by a contract of 1641 between the Earl of Seaforth and James Barnes, an Edinburgh merchant, for the sale of 300 Lewis cows a year for the next five years to be delivered to Barnes at Stornoway; the agreement was to be void if 'this kingdome sall not be settled nor peaceabill'.¹ It should be noted that in this case the cattle were not to be sent live to market, but slaughtered by Barnes in Stornoway. It is not known whether in the uncertain political conditions of the period it was felt unwise to drive live cattle over long distances, or whether the sea-crossing from Lewis was considered too long.

Our discussion so far has centred on the landlord's part in the cattle trade; but tenants too were, to varying degrees, involved. It was by the sale of his cattle that the tenant obtained the money which, by the later seventeenth century, formed a large part of the rent payments in most islands. In many cases no money or credit note changed hands. The tenant merely supplied the landlord (or the drover with whom the landlord contracted) with one or more cows at an agreed rate and this sum was deducted from the rent owed by the tenant. The accounts of the estate of Harris in the 1680s contain a list of tenants who had given cows in payment of their rent for the years 1682 and 1683 although cows were not nominally demanded in the rentals of this period. The cows were received at the rate of thirteen merks each.² Sometimes, however, the tenant was paid directly by the drover, and he then paid his rent to the landlord in money. Account of 1698 of the cows bought by John MacIntyre in the island of Mull shows that he purchased from two to

1. Clanranald Papers, Contract betw. Seaforth and J. Barnes, 25 Mar. 1641 (GD 201/1/54).
2. MacLeod Papers, List of Cows Received in Harris 1683; and Rental of Harris 1680 (box 22).

twenty cows at a time giving cash in return;¹ and an account from Harris of the silver rents paid for the year 1683 demonstrates that many tenants did pay their money rent in cash, which they probably obtained from the sale of their beasts.²

Often the tenant took little part in the commercial negotiations, and was obliged to deal with the drover appointed by the landlord, and to accept the price per cow settled between the landlord and the drover. Such were the terms of the contract we have mentioned, made between John MacLeod of Dunvegan and Alexander MacLeod, drover, in 1682.³ The tenants of Colonsay were even less fortunate in that in 1689 they had to part with cattle to pay their rent without knowing what price they would fetch: Argyll's factor was instructed to sell them 'to the best avall, the loss being alwayes the tennents'.⁴ It is likely, however, that this arrangement was a product of the delicate political situation of the time.

Sometimes, however, the tenant was free to negotiate his own terms with a drover not of the landlord's choosing. This was the case on MacDonald of Sleat's lands in 1694 when, as Sir Donald wrote to his doer in Edinburgh, his tenants trusted their cows to others 'being unwilling to give me them, expecting greater rates'. But this could prove disastrous for both landlord and tenant, for the 'break of some pettie fellows to whom the tennants trusted their cows' together with the loss of some of his own cows left Sir Donald MacDonald very short of money

1. Campbell of Barcaldine, Compt of the Cows that John MacIntyre Brought out of Mull, May 1698 (GD 170/203/9).
2. MacLeod Papers, Acc. of What F. MacFinlay Received of the Silver Rent of Harris, 1683 (box 22).
3. See above, p. 279.
4. Campbell of Jura, Letter from Argyll to John Campbell, 15 Oct. 1689 (GD 64/2/16).

to pay allowances to his family and debts to his creditors in 1695.¹

Some of the larger tacksmen and wadsetters, who had large herds of cattle as well as rent-paying subtenants of their own, no doubt played a more independent part in the cattle trade than small tenants were able to do. Some of them may well have raised their own droves although the author has seen no documentary evidence of this. Lesser tacksmen, who had not the means to finance or conduct such an undertaking, sometimes came to an agreement with their landlord to send cows on a drove arranged by the latter, as one piece of extant evidence shows: in 1662 one Donald MacQueen in ... arranged to send his cows to market with a drove of the Captain of Clanranald's; the reason given for this was MacQueen's 'not having servants of his owin for conducting and dryving them saiflie south'.²

In our discussion of agriculture we saw that cattle were the mainstay of the economy of most of the islands in the Hebrides. The cattle trade provided most of the money in circulation there in the seventeenth century. Indeed, cattle were frequently used instead of money as a means of settling debts owed to people who lived in the Highlands and Isles. This was common practice in marriage contracts, where the cattle paid in tocher provided valuable stock for the lands of the married couple. As late as 1696 cattle were still a customary part of the tocher in the marriage settlements of gentlemen in the Western Isles. In that year Alexander MacDonald of Heisker agreed to pay a tocher of 400 merks and forty cows 'usual to be payed in tocher in this country'

1. Delvine Papers, Letter from Sleat to Mr J. MacKenzie, 16 Jan. 1695 (MS 1307, fo. 123r).
2. Clanranald Papers, Suspension of Horning v. John MacDonald of Moidart, Capt. of Clanranald, 20 Aug. 1668 (GD 201/1/94).

on the marriage of his daughter, Anna, to James MacDonald of Eriskay.¹ Other debts were also frequently wholly or partially settled by the payment of cattle. Of many seventeenth century instances of this we may cite John MacLeod of Dunvegan's agreement of 1671 to pay 400 merks and 28 yield (barren) cows with 16 stirks in return for the cancellation of a debt of 800 merks due by Sir Roderick MacLeod of Talisker, his uncle, to John Campbell of Dunstaffnage;² and in 1685 Clanranald gave forty cows 'of the growth and product of South Uist' in satisfaction of 600 merks which he owed to Rory MacDonald, brother of Sir Donald MacDonald of Sleat.³

Debts which Hebrideans owed to Lowlanders were sometimes settled directly with the money obtained from the sale of droves of cows. The clearest evidence of this comes from the accounts of the MacDonalds of Sleat, which sometimes state in detail how various bills were paid. In 1656, for instance, Sir James MacDonald owed £2407-13-4d to his doer in Edinburgh, Mr John Bayne; of this he paid £1206-13-4d from the proceeds of 'the cowis sold to Johne Jameson'.⁴ Similarly of several very large sums owed by Sir Donald MacDonald to Mr Robert Blackwood in Edinburgh between 1682 and 1694, £1494-13-4d had been paid in 1688 with the money obtained from the sale of 120 of Sleat's cattle.⁵

1. Clanranald Papers, Articles of Agreement anent Marriage of J. MacDonald of Eriskay and Anna MacDonald, 27 May 1696 (GD 201/1/162).
2. MacLeod Papers, Agreement betw. J. MacLeod of Dunvegan and J. Campbell of Dunstaffnage, 21 Sept. 1671 (box 15F, no. 80).
3. Clanranald Papers, Discharge to the Tutor of Moidart from Rory MacDonald, 27 ... 1685 (GD 201/1/348/49).
4. Id MacDonald Papers, Acc. due by Sleat to Mr J. Bayne, 1656 (GD 221/103).
5. Ibid., Acc. due by Sleat to Mr R. Blackwood, 1694 (GD 221/6).

The crucial importance of the cattle trade as a source of cash for proprietors in the Western Isles is illustrated by the correspondence of the chiefs of Sleat with their doers. It has already been shown that in 1695 Sir Donald MacDonald was short of money to pay his family and creditors because of the loss of some of his own and his tenants' cattle on their way to market.¹ In 1698 he wrote again to Mr John MacKenzie in Edinburgh, thanking him for paying on Sleat's behalf 1200 merks which he owed to the late Lord Neill Campbell, and earnestly promising to repay him 'if I be in life and that cows can draw any mony'.²

Exports from the Hebrides were not, however, entirely confined to cattle. In 1656 an official report by Thomas Tucker on the customs and excise of Scotland narrated the Hebrideans traded with Glasgow, bringing with them in their boats plaiding, hides and the skins of goats, kids and deer; these they sold in order to purchase such commodities as they needed (which Tucker did not specify).³ This evidence substantiates that of an undated but almost certainly seventeenth century description of Skye which listed the products of that island as wool, hides, tallow, a variety of animal skins, butter and cheese 'which they transport to Glasgow'.⁴

Grain was another commodity exported from some of the Western Islands. Martin informs us that 'in plentiful years Skye furnishes the oposite continent with oats and barley';⁵ large quantities of grain were

1. See above, p. 282-3.

2. Delvine Papers, Letter from Sleat to Mr J. MacKenzie, ... 1698 (MS 1307, fo. 153r).

3. Extract of Tucker's report on the customs and excise of Scotland, printed in I.F. Grant, The MacLeods, 73-74.

4. 'A Description of Sky' (anon., n.d.), Macfarlane, Geog. Colls., ii, 220.

5. Martin, Description, 197.

also exported from Uist: the account, previously mentioned, between Sir Donald MacDonald of Sleat and Mr Robert Blackwood in Edinburgh was partially paid in 1688 by the sale of 200 bolls of bear from Uist which fetched a total of £933-6-8d.¹ Grain received in rent from Nether Lorne, including Seil and Luing, was in the 1690s sometimes sold to the new garrison at Fort William under the command of Col. Hill: in 1694, for example, 400 bolls of meal from the rents of Nether Lorne were sold to Col. Hill.² And in years of great scarcity such as 1696, some of the victual rent of Nether Lorne was sold to Breadalbane's tenants in parts of mainland Argyll like Glenorchy and Benderloch, where grain was particularly short.³ It should not be forgotten, however, that from time to time grain was imported into some islands in the Hebrides. In 1695, for instance, Alexander Campbell of Barcaldine, Breadalbane's chamberlain in Argyll, received a letter from an estate official who was investigating the shortage of grain in the area. The letter stated that the shortage, especially in Mull, was greater than it had been for many years, and the writer asked permission 'to take a start to Irlland for a parsall of meall to suply the contri'.⁴

In Lewis, as we have seen, great efforts had been made in the seventeenth century to develop the fisheries.⁵ Although neither of the

1. *Ibid.*, 146-7; and see above, p. 284, no. 5.

2. Breadalbane Muniments, Rental - Nether Lorne 1694, p. 10 (GD 112/9/35).

3. Campbell of Barcaldine, Scroll of Meal Money Resting crop '95 out of Nether Lorne, 28 Dec. 1698 (GD 170/203/3).

4. *Ibid.*, Letter to Barcaldine from John Clerk, 7 May 1695 (GD 170/654/1).

5. See above, pp. 223-4.

companies set up with royal patronage had managed to survive for more than a few years, an export trade in fish did grow up based on Stornoway in the east of the island. In July 1696 Mr John MacKenzie in Edinburgh (later MacKenzie of Delvine) received a letter from W. Couper, then in Stornoway, requesting money 'to ane herring voyage which is now near at hand,'¹ and in December Couper informed MacKenzie that he would send him 'ane barrell of herrings and tuo duzon of lings for your lady' on the next voyage which he was arranging.² The following year one B. MacLean wrote to MacKenzie to tell him of the wrecking on the coast of Caithness of two vessels 'loaden with hering and beef ... both from the Lews'.³

It was fishing and the fish trade which were chiefly responsible for the growth of Stornoway from a few buildings in 1630 to a village containing over eighty households in 1718.⁴ From October 1607 Stornoway was recognised as a burgh of barony with the privilege of holding weekly markets and two fairs a year.⁵ In the late 1620s, when the government was considering developing the west coast fisheries, moves were made to erect Stornoway into a royal burgh with the privilege of foreign trade, but the design did not come into effect.⁶ In 1637, however, the Earl of Seaforth received a new royal charter of Lewis in which Stornoway was reserved to the crown and was to be made a free royal burgh with facilities for a fishing company and fishermen.⁷

1. Delvine Papers, Letter to Mr J. MacKenzie from W. Couper, 11 July 1696 (MS 1105, fo. 63r).
2. Ibid., Letter from same to same, 28 Dec. 1696 (MS 1105, fo. 64).
3. Ibid., Letter to Mr J. MacKenzie from B. MacLean, 8 Dec. 1697 (MS 1105, fo. 249).
4. See above, p. 240; and Dymes, 'Description of Lewis 1630', 594.
5. RMS, vi, 719-20, no. 1982.
6. MacKenzie, Hist. of the Outer Hebrides, Appx D, 586-9.
7. PRS, Invss, 1st series, vi, fos. 132-6.

There is no record that Stornoway received a charter of incorporation as a royal burgh in or after 1637, and from 1650 onwards it again appeared in Seaforth's charters of Lewis as a burgh of barony.¹

Despite this, the fish trade from Stornoway was, as we have seen, flourishing at the end of the seventeenth century; and although the town was not legally entitled to trade with foreign countries, many boats sailed round the north coast of Scotland to the towns of the east coast, particularly Leith. In August 1700 Sir Donald MacDonald of Sleat wrote to his doer in Edinburgh informing him that because they had been visiting Uist, his wife had missed the Glasgow boats on which she had intended to send him some blanketing and butter, 'soe as now she most send it by Lewes to Leith'.²

Most of the goods imported into the Western Isles in the seventeenth century were supplied directly to local landowners and wealthier tacksmen by merchants and traders in various towns on the mainland of Scotland. The extant evidence suggests that the main towns involved in this trade were Glasgow, Inverness and Edinburgh.

We saw earlier that many of the exports of the Western Isles went by sea to Glasgow,³ and in return a wide variety of goods were purchased there and brought back to the Hebrides. Many of these goods were luxury items for the use of the wealthy. From 1653 there survives a bill owed by MacLeod of Dunvegan to Peter Pattoune, a Glasgow merchant,

1. GRS, 1st series, lxi, fos. 190-3.

2. Delvine Papers, Letter from Sleat to Mr J. MacKenzie, 3 Aug. 1700 (MS 1307, fo. 176r).

3. See above, p. 285.

for a selection of fine cloths and gold buttons to the value of £405-13-8d.¹ Later in the seventeenth century the MacLeod Papers contain several accounts of purchases made in Glasgow on MacLeod's behalf by Rory Campbell. In 1685, for instance, Campbell purchased there items including pewter vessels, fruits such as raisins and prunes, spices, sugar, vinegar, flour (i.e. wheat-flour), and hemp;² and in 1692 he brought back a very similar list of items, but this time they also included some soap, and an oven costing £95-2-8d.³

Inverness was well situated for trading with the more northerly of the Hebrides, for goods could be shipped round the north coast of Scotland or sometimes sent overland via the Great Glen or Glen Carron and shipped to the islands from there. The Letter Book of Bailie John Steuart of Inverness shows that by the early years of the eighteenth century there was a flourishing trade between the Inverness area and the Western Isles. Goods such as grain, wine and iron were despatched to the Hebrides and commodities like herring, butter, and slates from Mull and Easdale were brought back.⁴ In the seventeenth century evidence of trade with the Inverness area is much more sparse, but the documents which have survived suggest that imports from this district were considerable. Rory MacLeod of Dunvegan in 1658 granted a bond to William Couper in Chanonry of Ross (Fortrose) for £1,018, which he owed to

1. MacLeod Papers, Acc. of the Laird of MacLeod with P. Pattoune, 2 Apr. 1653 (box 25).
2. Ibid., Accs. of R. Campbell with the Laird of MacLeod, ... 1685, and 18 Sept. 1692 (boxes 16 and 25).
3. See n. 2 above.
4. The Letter Book of Bailie John Steuart of Inverness 1715-1752 (SHS, 1915), especially intro. pp. xi-xxv.

Couper for merchand wair'.¹ In 1692 a bond was granted to John Mackintosh, a bailie of Inverness, by Hugh MacDonald of Glenmore, a wadsetter on the MacDonald estates in Skye; this bond was also for merchandise, worth on this occasion £282.²

The large number of accounts for merchandise which Hebridean chiefs had with Edinburgh merchants is at first sight more difficult to explain. Edinburgh was much more difficult to reach from the Western Isles than were Glasgow or Inverness. Yet those Hebridean chiefs whose seventeenth century accounts have survived all made many purchases there. From the first half of the seventeenth century there is extant a receipt from James Rae, an Edinburgh merchant to John MacLeod of Dunvegan for £430-19/- in payment of all the merchant accounts between them before July 1636.³ In 1669 the Captain of Clanranald owed George Graham, another Edinburgh merchant, £702-8-8d for a variety of fine cloths, buttons, ribbons and lace.⁴ Sir Donald MacDonald of Sleat in 1699 settled an account for £71-17/- with an Edinburgh merchant named John Carse for cloth, worsted stockings and a Carolina hat.⁵

For many years after 1609 the chiefs from the Western Isles had to compear annually before the Privy Council in Edinburgh, and later in

1. MacLeod Papers, Extract Regd. Bond by Rory MacLeod of Dunvegan to Wm Couper, 25 Oct. 1658 (box 15F, no. 17).
2. Ld MacDonald Papers, Bond by H. MacDonald to J. Mackintosh, 26 May 1692 (GD 221/7).
3. MacLeod Papers, Discharge by J. Rae to J. MacLeod of Dunvegan, 30 July 1636 (box 16).
4. Clanranald Papers, Acc. of Clanranald with G. Graham to Dec. 1669 (GD 201/1/350/8).
5. Ld MacDonald Papers, Acc. of Sleat with J. Carse, 25 Jan. 1699 (GD 221/7).

the century they regularly employed lawyers there to attend to the increasing amount of legal and general business which they had in the capital.¹ It was natural, therefore, that chiefs should order goods from Edinburgh which they themselves frequently visited and where they kept doers who would arrange for the settlement of their accounts and transport of their purchases to their homes. Thus Sleat's doer, Mr John MacKenzie, in 1699 purchased a wig for him, and paid bills which he owed to John Carse, the merchant mentioned above, and to Alexander Henderson, an Edinburgh tailor.² It should be noted that the articles which the chiefs ordered from Edinburgh were predominantly expensive and fashionable items of apparel, cloth for making them, and ornaments. These were the sort of goods which could most easily be obtained in the capital city. Moreover, they were not bulky in relation to their value, and so did not present difficult transport problems.

Despite the large volume of trade arranged directly between proprietors in the Western Isles and merchants and traders on the mainland of Scotland, the Hebrides were not entirely without their own resident merchants. In 1617 John Shaw, a merchant in Skye, received a remission for his part in piracies and depredations committed by the Islay rebels.³ The MacLeod Papers include a letter of horning against Sir Rory MacLeod of Dunvegan for non-payment of £509 which he owed to Robert Campbell, merchant in Stornoway, 'for certane wyne coft and ressavit fra him'.⁴

1. See above, pp. 8 and 76.

2. Ld MacDonald Papers, Acc. of Sir Donald MacDonald [with Mr. J. MacKenzie] to March 1699 (GD 221/7). The acc. is unsigned but in MacKenzie's handwriting.

3. Gregory's Hist. Colls., Remission to John Shaw, 2 Aug. 1617 (MS 2132, p. 52).

4. MacLeod Papers, Letters of Horning v. Sir Rory MacLeod, 1625 (box 24).

And in 1677 John Davidson, 'merchant in the Isles', granted a receipt to Clanranald for 179 merks.¹ By the end of the seventeenth century, Martin tells us, some pedlars had come to reside in Skye from the Moray Firth area 'and travel through the remotest isles without any molestation, yet some of these pedlars speak no Irish'.²

The number of resident merchants mentioned in seventeenth century documents is, however, very small. Contemporary descriptions of the Western Isles have little or nothing to say about them, which indicates that the part they played in the trade of the Western Isles was not significant. Trading centres in the Western Isles were few. Stornoway was the only village of any size. It is true that by the 1690s two fairs a year were being held at Portree in Skye (in June and September respectively), and here 'the products of this and the adjacent isles and mainland ... viz. horses, cows, goats, sheep, hides, skins, butter, cheese, fish, wool etc.' were sold;³ and in 1693 a parliamentary act was passed giving Campbell of Calder the right to hold a weekly market and two fairs a year at Kilarow in Islay.⁴ These are evidence of an increase in trade in the Western Isles in the generally more peaceful conditions of the later seventeenth century. But despite this, Martin could still lament that the generality of the inhabitants of the Isles 'have never had any opportunity to trade at home or abroad'.⁵

1. Clanranald Papers, Discharge of Clanranald from J. Davidson, 26 Sept. 1677 (GD 201/1/116).
2. Martin, Description, 357.
3. Ibid., 244-5.
4. Extract Act of Parliament, 1693, printed in Bk of Islay, 419.
5. Martin, Description, 349.

To this picture Orkney and Shetland present a great contrast. Such bailie court acts as have survived from the Western Isles in the seventeenth century have nothing to say about pedlars, merchants or ships resorting there to trade. But as early as 1615, when the Hebrides were only just beginning to recover from a long period of turmoil and trading activities there were at a very low ebb,¹ the country acts of Orkney and Shetland contain a large number of regulations governing trade and traders. The country acts of Orkney inveigh against the 'many inconstant, sluggish and idle persones quha, leaveing service, gives themselfis to traffique and play the merchand and attendis the repairing of shippis and straingeris to reidis [i.e. anchorages] and usuall places and resoirtis', in order to steal from them; in future only persons approved by the parish bailie were to attend such ships.² Another act laid down penalties for masters of ships who transported vagabonds from Orkney, Caithness and elsewhere in Scotland to Shetland, where 'under cullour and pretext to pley the merchand' they begged, stole and oppressed the inhabitants.³ The country acts of Shetland included a regulation making it compulsory for 'all pedderis, chapmen or utheris byaris of hyddis, skinnes or woll' and sellers of the same to come before the parish bailie or two reputable local people, show them the goods, and inform them from whom they had bought them or to whom they had sold them.⁴

1. See above, pp. 274-77.

2. Court Bks of O & S 1614-15, pp. 30-31.

3. Ibid., 31.

4. Ibid., 68.

Mr James Wallace, minister of Kirkwall, writing c. 1688, described the main exports of Orkney as grain (viz. bear, malt and meal), fish, tallow, a variety of animal skins, butter, salt (from salt pans in Eday), wool, cloth and stockings, feathers and hams.¹ Of these, by far the most important item was grain, the chief commodity in which rent and scat duties in Orkney were payable.² From several years in the seventeenth century accounts are extant which show how the rents of the earldom of Orkney were disposed of. These show that large quantities of the victual rents were annually exported from the islands. MacKaile, writing in the 1660s, stated that grain from Orkney was usually exported to Shetland (to supply the regular deficiency there), or it was sent to Norway, or sometimes to Leith.³ The extant earldom accounts show this statement to be somewhat misleading. The accounts of the earldom chamberlain, Matthew Mowbray, for the year 1631 show that of some 93 lasts of malt payable to the earldom, over 40 lasts were 'sent Southe', while only 5 lasts 13 meills were sent to Shetland; of approximately 252 lasts of bear payable, nearly 113 lasts were shipped south, and none at all was said to have been sent to Shetland.⁴ Similarly, of some 37 lasts of malt paid to William Young, receiver of the earldom rents of 1660, over 9 lasts were despatched south while only 11 meills and five settings were sold to Robert Hunter, the chamberlain of Shetland.⁵ Extant evidence suggests that markets varied from year to year, although

1. Wallace, Description Isles of Orkney, 13-14.

2. See above, pp. 130 and 168.

3. MacKaile, Short Relation, Macfarlane, Geog. Colls., iii, 2.

4. Exchequer Recs., Crown Rentals, Matthew Mowbray's Acc. of Rents, crop 1631. N.B. 1 last = 24 meills.

5. Morton Papers, Acc. of the malt, meal, butter and oil rents of Orkney - 1660, 28 Sept. 1664 (GD 150/2015).

Leith, Shetland and Norway were all frequent destinations. That earldom officials were very sensitive to variations in marketing conditions is confirmed by a letter of April 1664 sent by James Douglas to the Earl of Morton. Douglas wrote that he had sent over sixty-eight chalders (each Orkney chaldar equivalent to some eighteen or nineteen Scots bolls) of the Orkney victual rents to Holland. Some had also been sent to Norway, but the market there had been so poor that he had been forced to divert the cargo to Leith or Burntisland where he advised Morton to store it for a while if the price remained so low.¹ The attention paid to selling the earldom rents at the best possible price is in complete accord with the highly commercial attitude to the renting of land in Orkney which we have already discussed, and which was the outcome of the determination of the crown (and other landowners there) to obtain the best possible short-term return from the land.²

Sometimes large portions of the earldom rents in kind were contracted in advance to merchants from Orkney and elsewhere to dispose of as they liked. Thus in 1631 most of the butter and oil duties of Orkney were handed over to a merchant named Walter Ritchie who sent it south.³ And in 1661 the Earl of Morton sold to John Johnstone and four other Edinburgh merchants 120 chalders of bear, 8 lasts of butter and 1 last of oil from the Orkney rents of the previous year for which they paid in advance.⁴ As in the cases where proprietors in the Western Isles

1. Ibid., Letter to Morton from Jas Douglas, 22 Apr. 1664 (GD 150/2542/4).

2. See above, pp. 104, 113-17.

3. Exchequer Recs., Mowbray's Acc. of Rents, 1631.

4. Morton Papers, Contract betw. Morton and J. Johnstone et al. 9 and 12 Feb. 1661 (GD 150/2536).

contracted in advance to sell their cattle to a particular drover, this saved capital outlay on transportation costs and avoided the risks involved in dealing directly with the market.

In some periods of the seventeenth century large quantities of the victual rents of the earldom were not exported, but sold locally especially in the town of Kirkwall. In the late 1650s and early 1660s several accounts survive, which show how the earldom rents were disposed of. In each of these accounts the majority of both malt and meal received was sold locally. In 1658, for example, William Young, receiver of the earldom rents, accounted for some $4\frac{1}{2}$ lasts of malt and some $7\frac{1}{2}$ lasts of meal; of the malt over 40 lasts were sold to the townspeople (of Kirkwall), and of the meal, over $4\frac{1}{2}$ lasts were sold to them.¹ Among the buyers of this victual, besides ordinary householders or the merchants who supplied them, were the brewers of Orkney who, according to a petition of 1685, 'buy ther molt out of the king's girnell at a compitent pryce'.²

By the end of the seventeenth century the situation had changed radically. Brand relates that 'the rents when collected, whether payed in money, meal, oats, barley, or butter, are ordinarily sent south, which causeth a great grudge among the people - some of them thereby being redacted to great straits - not getting meal, barley or the like sometimes to buy as in the late dearth'. He added that since the abolition of episcopacy in 1690 the bishopric rents had also been exported 'not consumed in these isles as they used formerly to be when the bishops resided here'.³

1. Ibid., Acc. of the Malt and Meal Rents of Orkney, crop 1658 (GD 150/2015).
2. Scarth of Breckness, Petition of the Commissioners to Parliament anent the excise on malt, 1685 (GD 217/1072).
3. Brand, Brief Description, 39-40.

Some of the other larger landlords of Orkney also exported grain, butter and oil, although extant records are not sufficient to show whether they did so regularly. An account of 1686 between Alexander Stewart of Massetter, an important landowner in South Ronaldsay, and Magnus Birston, skipper of the Margaret of Herston (South Ronaldsay) reveals that Birston transported two and a half barrels of oil of Stewart's from Orkney to Inverness where he sold it for £10-15/- per barrel.¹ In 1693 a summons for scandal was issued against Robert Ling in Langalie in Sanday, alleging that Ling called John Tulloch in Cleat a common cheat for detaining part of the price of 'some victuall sold be the said John within the countrey of Zetland, and that from John Stewart of Brugh'.² Stewart of Bruch owned extensive lands in Sanday as well as some in South Ronaldsay.³

Many landowners are known to have sold grain, butter and other farm produce to local merchants. In 1629, for example, Magnus Sinclair of Burwick in Sandwick and his wife, Marjorie Irving, agreed to sell eight barrels of butter a year for the next six years to Thomas Main and William Gordon, two Kirkwall merchants.⁴ Edward Sinclair of Essinquooy in 1633 sold to James Bailie of Tankerness, who was a merchant as well as a landowner, fifteen barrels of butter and 100 meils of malt.⁵ In 1668 and 1669 Harry Graham of Breckness granted receipts

1. Stewart of Massetter, Acc. of Goods Put on Board the Margaret of Herston, 21 June 1686 (GD 195/1/288).
2. Scarth of Breckness, Summons of Scandal v. R. Ling, 26 Oct. 1693 (GD 217/765).
3. PRS O & S, 2nd series, v, fos. 107-8.
4. Scarth of Breckness, Discharge to M. Sinclair and M. Irving from T. Main and W. Gordon, 3 Dec. 1635 (GD 217/888).
5. Craven Bequest, Extract Judicial Oath by Ursula Fulsie spouse of E. Sinclair of Essinquooy, extract 6 May 1634 (GD 106/151).

to David Graham, an Orkney merchant, each for £40 in part payment for ten barrels of butter sold to him by Breckness.¹

It is probable that most Orkney landowners and others with surplus produce to sell disposed of it to local merchants. Besides the possessors of the crown and bishopric lands, there were very few men of sufficient substance to undertake the export of their own produce, and in these circumstances local merchants were needed to act as middle men.

The testaments of several merchants refer to a particular type of contract which must have been attractive to proprietors and others who could expect to have a regular surplus of produce to sell. This was the forehand bargain whereby a man agreed to supply a merchant with a specified quantity of butter, malt etc. in return for which he received payment in advance. When William Craigie, a Kirkwall merchant died in 1647, he was owed six meils of malt and a barrel of butter by Thomas Redland in Redland, and a similar amount by Hugh Redland in Skail, both as a result of 'ane forran bargane'.²

The merchants then disposed of the produce themselves, either by selling it locally from their booth or shop, or by exporting it. Thus a Kirkwall merchant named James Nisbet who died in 1641, was owed £91 by John Pottinger, skipper in Kirkwall, 'of the superplus of the said umquhile James his buttir sold be the said John in Norroway';³ and in 1647 William Craigie, to whom we have just referred, had loaded on Alexander Thomson's ship ten barrels of butter, six barrels of beef and half a barrel of tallow, worth in all over £400.⁴

1. Scarth of Breckness, Two Receipts to D. Graham from Breckness, 17 Jan. 1668 and 7 Dec. 1669 (GD 217/902).

2. O & S Tests., iv, fos. 97-99, conf. ...

3. Ibid., fos. 55-56, conf. 12 Oct. 1642.

4. See n. 2.

The main articles imported into Orkney fall into two broad divisions. Firstly, wood and iron (in which Orkney was deficient), implements made of those materials, and substances such as tar which were essential to the repair of boats. The main supplier of such commodities was Norway. The customs accounts of Orkney (extant for the year 1669 only) show clearly that large quantities of timber, various kinds of tools and some tar were being imported, where specified, from Norway: Thomas Wilson and Henry Erbury brought from Bergen 1,200 'single trees and dealls'; and Harry Moncrieff imported a number of different items including deals, pieces of birch and oak, boats' timbers, ladles, oars, ploughs, and four barrels of tar.¹ Because of the timber trade with Norway, Orkney merchants were, no doubt, anxious to sell goods there if they could, and Norway was a country which imported grain. It was natural, therefore, that there should be strong trading links between them.

The second main category of goods imported into Orkney comprised luxury articles of many kinds, which came chiefly from the east coast ports of Scotland, especially from Leith, the port of Edinburgh, where, as we have already observed, many luxury goods were most easily obtained. There is little direct evidence about the precise nature of these imports, but an indication of some of them is given in an answer to a memorandum of 1648, written for the Earl of Morton by his servant, Michael Shaw. Shaw wrote that a number of barks belonging to Orkney and other parts of the north had departed from Leith carrying flour, French wine and Spanish sack, besides more mundane items like nails and other unspecified

1. Exchequer Recs., Acc. of the Customs and Excise of Orkney, Caithness and Shetland, Nov. 1668 to Nov. 1669 (E72/17/1).

commodities.¹

A few of the wealthiest private proprietors in Orkney sometimes ordered specialised goods directly from the south. Between 1685 and 1698 Harry Graham of Breckness and his sister, Margaret, the widow of Mr Robert Honeyman, paid six accounts ranging from £10 to over £200 for cloth and tailoring to Thomas Preston, an Edinburgh tailor;² and in 1700 the Laird of Breckness paid Colin MacKenzie, a goldsmith of the same city, £54-17/- for six polished silver spoons.³

Usually, however, even the wealthier Orcadians dealt with merchants and traders resident in Orkney, mainly in the old established town of Kirkwall. Among the Breckness Papers are many accounts with locally based merchants. One bill for £116 paid in 1664 to Arthur Baikie, a merchant in Kirkwall, includes such diverse items as gloves, paper, tobacco, golf balls and clubs, sealing wax, ribbons, nails, white sugar, vinegar and beer glasses; another account with the same merchant, settled in 1675, includes many similar commodities, and also scissors, powder, stirrup-leathers, silk and camel-hair cloth.⁴ A more modest account of £16-6/- was owed by Mr James Wallace, minister of Kirkwall to A. Baikie (almost certainly the Arthur Baikie with whom Breckness was dealing) in 1669: this bill was mainly for household equipment such as candles, horn spoons, trenchers (plates), wool-cards and two pint-sized

1. NLS, Morton Papers, Answer to a memorandum - M. Shaw to the Earl of Morton, 7 June 1648 (MS 84, fo. 64r).
2. Scarth of Breckness, six Receipted Accs. for Tailoring and Materials - Breckness to T. Preston, 1685-98 (GD 217/1000).
3. Ibid., Acc. of Breckness with C. MacKenzie, goldsmith, 9 Apr. 1700 (GD 217/1008).
4. Scarth of Breckness, Accs. due by John Graham of Breckness, to A. Baikie, paid 23 Jan. 1664 and 21 Mar. 1675 (GD 217/993).

'crouses' (oil-lamps).¹

The fact that from the seventeenth century the testaments of some forty merchants in Kirkwall (or their wives or widows) are recorded shows that the volume of trade passing through the hands of middle men there was substantial. Not all of these merchants were conducting businesses on a large scale: the inventory of Patrick Spence, a Kirkwall merchant who died in 1662, contained, besides his household goods, only a little cloth, two stones of iron, six pairs of wool-cards, six cards of silk buttons, a few pots, and other small merchandise worth £10; he owed no business debts to anyone, and the debts owed to him amounted only to £165.² Others, however, had much bigger businesses. Harry Prince, for instance, who died in 1649, had merchant ware in his booth to the value of £392, including fourteen stones of lint, six stones of iron, seventeen ells of expensive English and Dutch cloth, two and a half hundredweights of madder, some bonnets, golf balls and 'bairnes bookes'; he also owned a third share in a ship, and was owed debts totalling over £2,200, including £703-16/- recorded in his merchant compt book.³

Where a merchant's wares were specified in his testament, they almost always included a wide variety of goods, as in the two testaments cited above. In addition to selling these wares, merchants, as we have already seen, bought and exported the products of Orkney.⁴ Sometimes these two activities took the form of a direct exchange: Breckness's accounts include a bill for £147 owed to Alexander Cunningham in 1692

1. Craven Bequest, Acc. of Mr J. Wallace to A. Baikie, Oct. 1669, (GD 106/247).

2. O & S Tests., vii, fos. 51-52, conf. 21 Oct. 1663.

3. Ibid., iv, Test. of Harry Prince, conf. 15 Feb. 1653.

4. See above, pp. 297-8.

for assorted merchandise; this was paid partly in money, and partly in butter (seven half-barrels) to the value of £63.¹ This is reminiscent of the Western Isles, where cows were often exchanged to settle outstanding debts.² In Orkney there were two main reasons for the payment of accounts in kind. Firstly, it was convenient to barter when both parties wished to buy what the other had to sell. This was often the case in dealings between merchant and customer. Secondly, money was not in plentiful supply in Orkney. Rents were paid almost entirely in kind,³ and according to Brand, most of the money in circulation in Orkney was what they obtained in Shetland in exchange for the goods they sold there.⁴ We have already suggested that trade with Shetland accounted for only a minor part of Orkney's total trade in the seventeenth century.⁵

The merchants in Kirkwall traded not only with the residents of that town and a few wealthy landowners, but also with quite humble people from many parts of Orkney, as an extract of money owing to the deceased William and Robert Laughton (merchants in Kirkwall) demonstrates. In 1683 they had accounts outstanding with persons in all the mainland parishes in Orkney except Birsay, Beerness, Evie and Rendall; their customers included several like John Paplay, weaver in St. Andrews, who were unlikely to have been men of wealth.⁶

1. Scarth of Breckness, Acc. of Breckness with A. Cunningham, paid 16 Feb. 1692 (GD 217/1002). N.B. Another acc. of Breckness to R. Richan, litster, 28 Aug. 1668, was settled by the payment of malt. (GD 217/910).
2. See above, pp. 283-5.
3. See above, p. 130.
4. Brand, Brief Description, 111.
5. See above, pp. 294-5.
6. Scarth of Breckness, Compt due to Marjorie Spence (daughter-in-law of William Laughton) and Patrick Edward, her spouse, 1683 (GD 217/925).

Throughout the seventeenth century Kirkwall was by far the biggest trading centre in Orkney. It owed its pre-eminence to several factors. It had a fine site in the centre of the island group, and it possessed an excellent harbour. Furthermore, the town had since 1486 been a royal burgh, and although in the mid-seventeenth century the Earl of Morton made several attempts to deprive Kirkwall of this privilege (in order to become superior of the town himself), a confirmation of Kirkwall's royal charter was granted in 1661.¹ The status of royal burgh gave Kirkwall, besides the right to local self-government, a monopoly of the foreign trade of Orkney, and the right to organise guilds of merchants and craftsmen. The first and third of these privileges could be exercised by any burgh, royal or not, but Kirkwall was the only burgh of any kind in Orkney.²

There were, however, some merchants resident in other parts of Orkney. In 1614 William Irving of Sebay (St. Andrews) had an account with Thomas Main there, according to which Main had supplied Irving and his family with many items including wine and aquavita, figs, sugar, various types of cloth, hats, gloves and some ready money.³ The Breckness Papers provide references to two merchants in Birsay: Gilbert Philp who in 1633 had a precept of poinding issued against him for the price of a horse;⁴ and Malcolm Nisbet, who in 1699 was alleged to have slandered a lady named Anna Erbury.⁵ Testamentary records show that one Donald

1. J. Mooney, The Cathedral and Royal Burgh of Kirkwall (Kirkwall, 1947), 153-6.

2. Smout, A History of the Scottish People, 158.

3. Recs. Earldom of Orkney, 381-3, no. 241.

4. Scarth of Breckness, Precept of Poinding v. G. Philp, 11 Dec. 1633 (GD 217/887).

5. Ibid., Summons for Scandal v. M. Nisbet et al., 5 July 1699 (GD 217/808).

Cogle was a merchant in the island of Sanday between the year 1649, when his first wife, Katherine Tailor died, and 1663, when he himself died. The inventory of his testament includes such merchandise as wood, ploughs, oars, tobacco, lint, iron and soap, but no very fancy goods.¹

There was also a small trading centre at St. Margaret's Hope on the north coast of the island of South Ronaldsay, where in 1623 Alexander Sutherland, a merchant there, acquired a rig of land.² Sutherland was still trading there on his death in 1644.³ And in the 1690s James Mudie, another merchant in St. Margaret's Hope, obtained a tack of the lands of Haybreck in South Ronaldsay from David Traill of Sebay.⁴

From a few years after the Register of Sasines was begun in 1617, there are records of merchants settling near the harbour of Cairston in the parish of Stromness in the west mainland of Orkney, where in 1622 the Bishop of Orkney feued a piece of waste ground to David Boswell, a merchant of Kinghorn.⁵ In 1629 occurred the death of James Starret, another merchant at Cairston.⁶ These were the beginnings of what was later to become the town of Stromness. Like Kirkwall, Stromness had a fine site and a very good harbour, but in addition, it was more favourably located to attract those vessels sailing from Europe via Orkney to the

1. O & S Tests., iv, Test. of K. Tailor, conf. 31 Jan. 1650; and viii, fos. 64-66, conf. 14 July 1664.

2. PRS O & S, 1st series, ii, fo. 119.

3. O & S Tests., iv, fo. 82r, conf. 8 June, 1644.

4. Stewart of Massetter, Minute of a tack from D. Traill of Sebay to J. Mudie, ... 169 ... (GD 195/1/268).

5. PRS O & S, 1st series, ii, fo. 33.

6. O & S Tests., ii, fos. 36-39, conf. 7 Mar. 1629.

west. The poll tax records show that by 1694 there were seven merchants in the Innertown of Stromness, where the settlement lay, besides twenty-eight craftsmen, fishermen and sailors.¹ In 1700 Brand wrote that the number of residents in Cairston (i.e. Stromness) was daily increasing because of 'the many ships that do frequent this port'. He also observed that Kirkwall was 'now much decayed as to trade', which suggests that Stromness had taken away some of its custom.²

Before leaving the subject of Orkney's trade, we should consider what kind of people constituted the class of merchants in Orkney. Some of them, like David Boswell and James Starret in Stromness were outsiders from the east coast of Scotland. Boswell, as we have seen, came from Kinghorn, while Starret in 1618 was a merchant in Leith.³ Many of the other merchants in Orkney came from families settled in the islands before the seventeenth century. Magnus Craigie, merchant in Kirkwall, who in 1620 became Magnus Craigie of Papdale in St. Ola, and whose heirs became the wealthy Craigies of Gairsay, was a member of a family of Craigies long established in the island of Rousay.⁴ Several other instances are cited by J. Storer Clouston in his History of Orkney.⁵ Craigie used the money he made in trade to buy land, but often the process worked the other way

1. O & S Papers, Poll Tax Roll - Orkney, 1694-6, 1, Stromness (RH9/15/175).
2. Brand, Brief Description, 51 and 44.
3. Craven Bequest, Oblig. by Mr John Gairdin, minister at Stronsay, to J. Starret, 17 May 1618 (GD 106/186).
4. PRS O & S, 1st series, 1, fo. 140; and Recs, Earldom Orkney, 436 (documented family trees - Cragy of Brough).
5. Clouston, History of Orkney, 342-3.

round. Landowners frequently arranged for their sons to be apprenticed to merchants, as is shown by an examination of the Edinburgh Register of Apprentices (1583-1755). Of thirty-four Orkney boys who were bound apprentice in Edinburgh in the seventeenth century, ten were the sons of notable landowners; nine of these boys, including three sons of Thomas Buchanan of Sound and two sons of Patrick Smith of Braco, were apprenticed to merchants. Of the twelve other boys apprenticed to Edinburgh merchants, seven were the sons of churchmen and three were themselves the sons of merchants.¹ Although very few records of apprenticeships survive from within Orkney, the connection of both landowners and ministers with merchants can easily be shown from other documents: for example, the testament of the wife of Mitchell Rendall of Breck (in Westray) shows that Rendall was himself a merchant with a stock of goods in his shop worth £133-6-8d;² and a bond of 1616 owed to John Monteith, an Edinburgh merchant, by Thomas Swinton, merchant, describes the latter as the son of Thomas Swinton, minister at Birsay.³

It is not difficult to understand why ministers apprenticed their sons to merchants (and sometimes also to craftsmen). The minister's source of income, unless he also had private means, died with him. His sons, therefore, had to be provided with a means of livelihood; and if they were not also to be ministers, an apprenticeship, especially in the field of trade where much money might be made, was a good solution. Larger landowners in Orkney were faced by a very similar problem. Few of them

1. Edinburgh Register of Apprentices, ed. F.J. Grant and C.B. Boog Watson (SRS, 1906-1929).
2. O & S Tests., xi, fos. 118-9, Test. of Barbara Irving, conf. 17 July 1683.
3. Craven Bequest, Bond to J. Monteith by T. Swinton, 8 Feb. 1616 (GD 106/1/41).

were rich enough to endow all their sons with land; there was often not enough land to provide a comfortable living even for the eldest son.

Trade offered an alternative or supplementary means of making a living, which could be followed without necessarily leaving the islands.

The products which seventeenth century Shetland had to offer for export were the butter and oil which were paid in rent and scat duties, and, in the earlier part of the century at least, the wadmel or coarse cloth which at that time also formed part of the land duties.¹ There were also the fish which the Shetlanders caught in abundance, their animals, the hides and wool from them, and stockings made from the wool.

Most of the rent in kind collected in Shetland was exported from the islands. Extant accounts of how the crown rents of Shetland were disposed of make this very clear. The rental of Shetland of 1628 notes that of some thirteen lasts four barrels of butter chargeable in rent, over twelve lasts had been 'sold to strangeris'; and 209 packs of wadmel had been 'sold in Yetland and Norway'.² Of the crown rents payable in 1662 all the butter received was said to have been sold to 'Duch merchands' (i.e. Deutch or German merchants) or to German merchants and others unspecified; the oil due was also sold to them except for a small amount deducted for leakage.³

In most years in which the accounts of the crown rents are extant they were sold mainly to German merchants, but in 1686 approximately two thirds of the butter and all the oil were delivered instead to William

1. See above, pp. 129-30.

2. Exchequer Recs., Rental of Shetland 1628, Charge of Money for the Duty of Shetland - crop 1627[payable 1628].

3. Gardie House MSS, Charge of the Butter and Oil, crop 1661[payable 1662]. N.B. The Dutch were usually termed 'Hollanders' in the seventeenth century.

Craigie of Gairsay in Orkney, then tacksman of the crown rents of Orkney and Shetland.¹ Whether the German merchants had decided to buy less, or whether Gairsay hoped to make a greater gain by disposing of the butter and oil himself is not known.

The fish which Shetlanders had to sell was also bought in large quantities by German merchants, as contemporary observers noted.² Their accounts are supplemented by the detailed records of the dealings of one German merchant, Otto Moak, in 1653. These records include a note of the fishes delivered to Otto by a number of people in the island of Whalsay. John Gunn, for instance, brought in 10 ling on the 21st May and 23 ling on 30th May; and the boat of Garth put in 29 ling on 17th June.³ The German merchants, according to Brand who gave a very detailed description of the fish trade in Shetland, came mainly from Hamburg and Bremen. They arrived in Shetland in May or early June and stayed until August or September. They set up booths at various suitable sites throughout the islands and sought 'nothing better in exchange for their commodities than to truck with the country for their fishes, which when the fishers engage to, the merchants will give them either money or ware, which [ever] they please'. The fishermen brought their fish to the booth door, and the merchants themselves dried them and shipped them away.⁴

1. Morton Papers, Chamberlain's Accs. of Shetland, crop 1685 [payable 1686] (ØD 150/2024/1685).
2. E.g. Brand, Brief Description, 199; and Sibbald, Description of O & S, 24.
3. Neven of Windhouse Papers, A Note of Fishes Put into Otto Moak, 1653.
4. Brand, Brief Description, 198-200, and 205.

The fish were dried on an ayre or stone beach adjacent to the merchant's booth which was normally rented from the proprietor of the land. But occasionally merchants who regularly came to the islands feued a piece of land and built their own booth on it. Such a man was Henry Dicken, a merchant of Bremen, who in 1664 feued from John Smittoun, portioner of Snarravoe, a piece of land close to a stone beach at Haroldswick in Unst: the feu was granted to Dicken and to his heirs male to the third generation 'that shall happen to travell to this countrey as merchandis'.¹

German merchants, however, were not the only people to whom the Shetlanders sold their goods. Sibbald observed that because of the many excellent harbours in the islands, they were 'much frequented by our own ships, and those which belong to foreigners in their voyages to both the Indies, for which reason the natives and indwellers have most gain from their supplying the ships with their product, especially the fishes they take, and their cows and the gross manufactures they make in this country'.² They also sold provisions to the Dutch herring fishermen who came to the islands in great numbers in the seventeenth century.³ Brand tells us that these fishermen brought most of the provisions they needed with them, but came ashore to buy 'fresh victuals as sheep, lambs, hens etc.' and also stockings for themselves and their families. For these goods the Dutch paid in their own coinage which was common currency in Shetland.⁴

1. PRS O & S, Shetland, iv, fos. 127-8.

2. Sibbald, Description of O & S, 12.

3. See above, p. 216.

4. Brand, Brief Description, 110-111 and 199-200.

It was primarily the trade with the Dutch fishermen which was responsible for the growth of the town of Lerwick on the mainland side of Bressay Sound in the later seventeenth century. The fine anchorage of Bressay Sound was the annual rendezvous of the Dutch fishing fleet at the beginning of the summer season. In the early years of the seventeenth century the authorities discouraged the gathering of people at Bressay Sound to sell their goods to the Dutch and other foreigners as it was felt that it led to crime and moral depravity. One of the country acts of 1615 forbade any one to resort there to trade 'committing thairby villanie, fornicatioun and adultrie', and some houses, already erected at Bressay Sound, were ordered to be demolished.¹ Some years later, however, a settlement was allowed to grow up. O'Dell in his Historical Geography of the Shetland Isles drew up a table illustrating the growth of Lerwick according to which in 1670 there was 'hardly a resident family'.² But in reality there must by this time have been several resident families, since the Register of Sasines in the period 1660 to 1669 records the transfer of ownership of six different houses and tenements of land in Lerwick. One of these was feued by John Neven of Luning to Gilbert Mowat, a cordiner in Lerwick; and another was granted in life-rent by Laurence Sinclair, a merchant there, to his wife, Isobel Mowat.³

At the close of the seventeenth century the population of Lerwick was estimated by Brand at between 200 and 300 families, mainly merchants, tradesmen and fishermen who 'keep up a good trade with foreigners from

1. Court Bk Shetland, 65.

2. O'Dell, Historical Geography, 193.

3. PRS O & S, Shetland, iv, fos. 361-2, regd 12 Mar. 1667; and fos. 281-2, regd. 23 Feb. 1665.

whom they buy much of their domestick provision'. The influx of population had come largely from outside Shetland, from Orkney, Caithness, Sutherland and Buchan.¹ Brand's account of Lerwick is substantially confirmed by Sir Robert Sibbald's much briefer description.²

By 1700 Lerwick was very much bigger than the old village and administrative centre of Scalloway which was now in decline with 'scarce ... a hundred souls in it'. The cause of this decline, according to Sibbald, was the decay of its trade.³ Although Scalloway, situated at the southern end of the Tingwall valley, had a much superior landward setting than Lerwick, which backed on to a barren hillside, its harbour was not so good, nor was it nearly so well placed for the fisheries, for the best fishing grounds lay off the north and east coasts of Shetland and not the west.

It should not be thought, however, that Lerwick was the only place where people gathered to sell goods to fishermen and sailors. Sibbald, as we have seen, described how the islands of Shetland were frequented by British and foreign ships because of the fact that they were 'well accommodated with excellent roads and bayes';⁴ and his description incorporates an account of Dunrossness, written in the late seventeenth century by the parish minister, Mr James Kay: this account mentions Levenwick bay on the east coast of Dunrossness, where Dutch fishing vessels gathered in great numbers in the fishing season, and to which 'the people from all quarters resort with stockings, woven gloves, garters, feathers etc. which they exchange with the Hollanders for tobacco, brandie, shoes, boots, money etc.'⁵

1. Brand, Brief Description, 106 and 129-30.

2. Sibbald, Description of O & S, 12.

3. Ibid., 13.

4. Ibid., 12.

5. Ibid., 41. N.B. 'Woven' is probably a misreading for 'woollen'.

As the above passage indicates, imports into Shetland were various. Firstly, there were the essential commodities in which Shetland was deficient, the most important of which were grain and wood. There were no trees in Shetland. Consequently, all the wood needed in Shetland apart from driftwood had to be imported. As was the case in Orkney, the chief supplier was Norway. In 1633 Captain Smith recorded that the inhabitants of Unst had a bark which they used to trade with Norway 'where they may buy timber ready framed; also deal-boards, tar, ships, barks and boatts of all sorts and other necessaries for their isle'.¹ Among the items sold by the Shetlanders to the Norwegians at least in the first half of the seventeenth century was wadmél, which was still being collected as part of the rent of land: in 1628, as we noted earlier, part of the wadmél received in rent from the crown lands was sold in Norway.² Butter was also sold there, for in 1679 Jacob Tait, a skipper from Laxfirth in Tingwall, received from Captain Andrew Dick, then steward and tacksman of Orkney and Shetland, six barrels of butter 'to be carried to Norway and sold at the best avail'; in 1684 Tait was alleged not to have paid Dick the money which he received for the sale of this butter.³

Shetland had strong historic ties with Norway,⁴ and many contacts between them continued into the seventeenth century. Donaldson in his Shetland Life under Earl Patrick had given detailed evidence of their close relations in the late sixteenth and early seventeenth centuries when many Shetlanders had relatives in Norway and several deeds for the sale of land

1. Smith, 'Description of Shetland', Macfarlane, Geog. Colls., iii, p. 63. N.B. This forms the basis of Sibbald's description of Shetland's trade with Norway.

2. See above, p. 307.

3. Bruce of Symbister, Summons before Admiralty Court: Dick v. Tait, 9 and 12 Sept. 1684 (GD 144 box, 28).

4. See above, pp. 4-5.

in Shetland were drawn up there.¹ The ties were weakened when the Norse laws of Orkney and Shetland were abrogated in 1611, but there was still some contact between them. In 1635, for instance, a draft remonstrance to the Privy Council asking for assistance to the Northern Isles because of severe famine mentioned 'the great dearth of labouring peipill and thair flying to Norroway'.² It is, however, likely that such contacts diminished as the century wore on, Shetland was assimilated into the Scots legal system, and udal customs declined.

Yet even at the beginning of the seventeenth century, as Donaldson observed, commercial links between Shetland and Norway do not seem to have been very strong. In the later seventeenth century none of the extant customs accounts of Shetland mention trade with Norway, and contemporary topographical descriptions say little or nothing about it. The major reason why trade between the two places was not greater was that their respective main exports and imports were not complementary. Shetland needed Norway's wood, and Norway could make use of some Shetland butter and cloth. But both places needed to import grain for which they had to look elsewhere.

Some of the grain imports into Shetland came from Orkney and sometimes from the mainland of Scotland.³ According to Brand, the Shetlanders 'do drive a great trade with Orkney, from which every year several boats do pass to Zetland loaden with corns, meal, malt etc. upon the coming whereof they often wait for barley seed'.⁴ We have already discussed details

1. Donaldson, Shetland Life, 71-72.

2. Kinross House Papers, Draft Remonstrance from O & S to the Privy Council, 28 Feb. 1635 (GD29/163).

3. Leigh, 'Description of Shetland', Macfarlane, Geog. Colls., ii, 248.

4. Brand, Brief Description, 110.

of this trade from rentals of Orkney,¹ but there is also extant a claim of 1649 made by Andrew Tait in Laxfirth, skipper of the ship Jager, against the chamberlain of Shetland, which illustrates the trade from the point of view of the sailor and shows that there was a triangular trade involving Shetland, Orkney and Leith. The claim outlines Tait's expenses while he was hired as a skipper by Harry Mowbray, chamberlain of Shetland. In March and April 1648 he loaded goods at Cullivoe and Burravoe in Yell, Laxfirth in Tingwall, and Bressay Sound whence he sailed to Leith. At Leith he loaded French wine, lint, hards (refuse flax or hemp) and other goods which he delivered to Kirkwall. Then he took aboard meal, malt and bear at Stronsay and sailed back to Bressay Sound and Laxfirth. The following year in July he again sailed from Bressay Sound to Leith.²

Orkney did not provide all the grain required by Shetland. Some was brought in by the German merchants who also supplied the Shetlanders with many other goods. Long before 1600 German merchants frequented Shetland, for the complaints formally made by the inhabitants in 1576 against Laurence Bruce of Cultmalindie, Earl Robert Stewart's half-brother, include a declaration that Cultmalindie was taking more in tolls from these merchants than he was entitled to, and a complaint that the German merchants were using unjust weights and measures.³ A legal case of 1602 records the kind of merchandise imported into Shetland by the German merchants. One of their number, Orne Mair, a merchant at Gluss in Northmavine, complained that his trade had been reduced because the local people were taking their goods to other merchants instead of bringing them to him.

1. See above, pp. 294-5.

2. Stewart of Massetter, Claim by A. Tait v. H. Mowbray, 1649 (GD 195/2/90).

3. Balfour, Oppressions, 38-39.

By agreement with the people of Northmavine, Mair was to be the only merchant to whom in future they would sell their fish, butter, oil and other goods, while he in return promised to bring every year to Gluss gold, silver, meal, bear, hooks, lines, hemp, shoes, iron, cloth and other unspecified wares.¹ Detailed customs accounts of Shetland, which have survived for the years 1668-1669 and 1671-1673, confirm that these were among the main items brought to Shetland by the German merchants (apart from the salt which they needed to cure their fish). Adolph Westerman, for example, in 1672 imported in his ship, the St. John and St. Peter of Hamburg, 36 barrels of bear, 60 barrels of rye-meal, linen cloth to the value of £690, hooks, lines, hemp, nails, and also soap, tar, brandy, mead, and tobacco - a commodity which was becoming very popular in Shetland. The following year Henry Hackman imported in the Cocksfoot of Bremen meal, linen, hooks, lines, soap and tobacco.²

German merchants undoubtedly formed the main element in the commerce of Shetland for almost the whole of the seventeenth century. The Court Book of Shetland 1602-1604, trading accounts, testaments and the descriptions of contemporary observers all testify to this. From all these sources the author has found references to about a hundred different German merchants who traded in Shetland in the seventeenth century. As we have seen, they bought and exported from Shetland most of the rent in kind paid to the possessor of the crown lands;³ they also bought from local people in the areas where they traded any surplus fish, butter, oil etc. which they wished to sell; in exchange they supplied money which was

1. Court Bk Shetland, 16-17.

2. Exchequer Recs., Customs Accs. of Orkney, Caithness & Shetland, 1671-2 and 1672-3 (E72/17/2 & 3). For the popularity of tobacco, see Leigh, 'Description of Shetland', 250.

3. See above, p. 307.

required to pay part of the rents, grain which the Shetlanders so badly needed, many other necessities (especially for the fishing industry) and a few luxury items.¹

The possessors of the crown lands clearly realised the usefulness of the German merchants. In 1662, after an act of parliament had discharged foreigners from taking part in the coastal fisheries (in order to encourage British companies to exploit them), the Earl of Morton successfully petitioned the Privy Council for licence to trade with the German merchants despite the ban, on the grounds that the inhabitants would otherwise be in danger of starving, or might desert the islands 'to the heavy prejudice of the petitioner and that part of his majesties revenew payed furth of the said isle'.² The customs' collectors present in Shetland in the later seventeenth century also realized their value to the economy of the islands, for David Murray of Clairden, commissioner for the customs and excise of Shetland wrote in 1685 (probably to his deputy in Shetland) 'Pray be discreit to the Dutchmen and doe not exceid your usuall payment, for it will be a prejudice to the cuntrey iff they be descuredged mor as to them'.³

Murray's letter implies that the German merchants had already been somewhat discouraged by the exactions of the customs officials. This is confirmed by the descriptions written by two Shetland ministers probably in the 1680s. Mr Hugh Leigh of Bressay and Burra parish wrote that Shetland's trade was declining partly because the Shetlanders had less to

1. A very detailed account of how the German merchants carried on their trade in Shetland is given in Donaldson, Shetland Life, 59-68.
2. Morton Papers, Permission to the Inhabitants of Zetland to Trade with Foreign Fishers, 4 Mar. 1662 (GD 150/1677b).
3. Bruce of Symbister, Letter from D. Murray to ..., 29 May 1685 (GD 144, box 17).

sell, but partly also because of the great exactions of the customs officials as a consequence of which 'at this day only a few Hamburgers and Bremers use a small trafficking in it'.¹ Mr James Kay, minister of Dunrossness, stated (with some exaggeration) that both the Germans and the Dutch had been banished from Shetland 'by the exorbitant exactions of the customers [i.e. customs officials] that come to this countrey'.² The charges levied by the customs officials were certainly far higher than the tolls previously levied by the Earl of Morton. In 1656 and 1657 the total tolls paid by the German merchants are known to have been £662 and £893 respectively;³ but in the years 1668 to 1673 they paid in customs duty each year over £1,600 and in 1681 they paid £2,750 - a huge increase.⁴ Further evidence of the declining part played by the German merchants in the commerce of Shetland at the end of the seventeenth century are the occasional documentary references to ruinous 'Dutch' booths: it is particularly significant that in an account of ley lands in Shetland in 1700 the Bremer booth at Laxfirth, an important trading point, was said to be 'waste and ruinous'.⁵

Even in their heyday, however, the German merchants did not have a monopoly as traders in Shetland. Especially in the south mainland of Shetland a number of merchants from east coast Scottish burghs traded. Court records provide many references to the activities of these merchants in the early years of the seventeenth century. John Mill, a Dundee merchant, took action against the foud (magistrate) of Dunrossness, William

1. Leigh, 'Description of Shetland', 253.

2. Sibbald, Description of O & S, 46.

3. O & S Papers, Photostat Rental of Shetland 1656, p. 12 (RH 9/15/173).

4. Exchequer Recs., Customs Accs. of Orkney, Caithness & Shetland, 1669-73 and 1680-81 'E2/17/1-4).

5. Bruce of Symbister, Acc. of Ley Lands in Shetland, crop 1700 (GD 144, box 1).

Fermour, to recover £180 which Fermour owed him by a bond of 1602.¹ In 1615 Laurence Sinclair of Ustaness was ordered to pay James Kintore in Scallowaybanks, a Scottish merchant (who some years previously had been a trader in Dunrossness), 40/- 'for certane wyne quhilk he send to his hous this last yeir in hervest', as well as various other sums which Sinclair owed him.² In the same year John Craigton, also a Dundee merchant, had to pay Margaret Mair in Scallowaybanks £9 as the price of a puncheon of wine.³ There is also extant the testament of a Scottish merchant, one Mitchell Craig in Brabisterbanks in the parish of Walls, who died in 1618; at that time his booth contained five lispounds of wool, five ox or cow hides, two barrels of oil, some black cloth, a plaid and a little otter skin. It appears that he was prepared to buy a variety of the products of Shetland; and among the items which he sold were fish hooks, for which Christopher in Tumbling owed him 6s 8d.⁴ The occasional English merchant also traded with Shetland, as is shown by a petition of 1629 for a licence to recover debt: from this it emerges that George Maichane, a merchant from Scarborough, had brought certain merchandise to Whalsay in 1612 and exported from Shetland 2000 ling and 3000 keeling (codfish), but he had failed to pay the customs duty due on these items.⁵

Later in the seventeenth century the number of Scottish merchants in

1. Court Bk Shetland, 97.
2. Court Bk O & S 1614-1615, 76; see also Court Bk Shetland, 49.
3. Court Bk O & S 1614-1615, 78.
4. O & S Tests., i, fo. 52r, conf. 7 Oct. 1620.
5. Bruce of Symbister, Petition of Robt Monteith, 23 July 1629 (GD 144, box 28).

Shetland seems to have increased. The Register of Sasines records that in the 1660s there were two prosperous Scottish merchants at Uyeasound, Unst, namely, James Edie and John Ross, who were buying property on a large scale.¹ Lerwick, as we have seen, was beginning to attract merchants and traders from mainland Scotland; and Dundee merchants continued to come regularly to Dunrossness: Mr James Kay noted that at Grutness Voe just north of Sumburgh Head a Dundee vessel lay 'till she receive her loading viz. fishes, butter, oil, beef, hides and tallow', and at Grutness itself 'the Dundee merchants have their booths'.² The Scottish merchants, no doubt, took advantage of the difficulties faced by the German merchants to extend their own trade in Shetland. This is aptly illustrated by a sasine of 1684 granted to John Leask, merchant in Aberdeen, of 'the ruinous and downfallen buith and meall house called the Dutch buithes lyand at the port of Burravoe in the Yle of Yell' together with the beach used by the German merchants for drying fish, and the stone necessary to reconstruct the buildings.³

The commerce of Shetland was not entirely in the hands of Scottish and foreign merchants. Involvement in commerce by Shetland landowners has usually been considered a phenomenon of the eighteenth century; but there is evidence to show that some of the landowners of Shetland were engaged in trade as early as the beginning of the seventeenth century. In 1602 Christopher Johnson in Scatsta (Delting) was accused of breaking into Andrew Gifford of Wethersta's booth, and stealing from it wool, yarn, dry mutton, a plough and its irons, hard fish and other commodities.⁴

1. E.g. PRS O & S, Shetland, iv, fos. 155-6 and 196-7, regd. 27 Sept. and 26 Oct. 1664.

2. Sibbald, Description of O & S, 40.

3. PRS O & S, 2nd series, iv, fos. 112-13.

4. Court Bk Shetland, 18.

Robert Sinclair of Brough, by far the richest Shetland landowner whose textament is extant, had booths at Brough (Nesting), and there and at his house in Brough he had, when he died in 1616, eighteen barrels of oil, eight barrels of butter and twelve packs of wadmel (probably the rents of his lands) besides hides, sheepskins, deals, picks and muskets. He also owned a ship named the Swan worth £2,000.¹ David Pitcairn of Skerpo, Unst, who died in 1627, also appears to have been engaged in trade, for he owned half an old ship (his share worth £100), and owed fees to Archibald Neill, a skipper, and three other sailors, presumably the crew of the ship.² At the end of the seventeenth century, with the decline of the German merchants, there arose an opportunity for landowners in Shetland to extend their interests in trade. Of this they soon took advantage, for Brand tells us that, seeing the profit which accrued to merchants trading in the islands, some gentlemen in Shetland had recently formed a company for trading in fish, which they hoped to do with less expense than the other merchants could, since they lived on the spot.³ Landowners in Shetland, like their counterparts in Orkney, saw in trading a convenient means of supplementing their income from rents and farming.

We see, then, that the Hebrides, Orkney and Shetland all had their own distinctive pattern of trade. All were alike in that they exported the simple staple commodities; mainly cattle from the Hebrides (with grain from some islands); grain and butter from Orkney; fish, butter and oil from Shetland. In exchange they received money, luxury goods and such necessities as they could not furnish for themselves. But their detailed

1. O & S Tests., iii, fos. 1-3, conf. 25 Mar. 1628.

2. O & S Tests., iii, fos. 20-21, conf. 18 Aug. 1628.

3. Brand, Brief Description, 205.

trading arrangements were very different.

The Western Isles differed from Orkney and Shetland in that the political turmoil of the late sixteenth and early seventeenth centuries inhibited the development of trade there well into the seventeenth century. Their geographical position meant that much of their trade was with the west of Scotland, and Glasgow in particular, although some of the more northerly islands traded with ports on the north-east of the mainland, and wealthy men from many parts of the Hebrides bought luxury goods in Edinburgh. There was little foreign trade, partly because of the early political troubles, partly because they lay away from the main international trading routes, and partly because Scottish markets provided a most convenient outlet for their staple export - cattle.

The two groups of Northern Isles had, as might be expected from their geographical proximity, historic and administrative ties, some trading links, Orkney exported grain to Shetland, and Shetland supplied Orkney with money. Moreover, the vessels which brought the grain to Shetland might then be used to send Shetland goods to Leith, and bring back imports from Leith to Orkney. But Orkney was much nearer to the Scottish mainland than was Shetland, and her links with Scotland's east coast ports, especially Leith, were much stronger. It is notable, however, that despite the short distance between Orkney and Caithness, there is little evidence of trade between them. The long overland route from Caithness to the Lowlands presented far more difficulties than the sea-crossings from Orkney to the east coast ports. Both Orkney and Shetland also traded with Norway, their ancient ruler; but here commercial considerations can be shown to have been far more important than historic ties, for Shetland, which was much nearer to Norway and which at the beginning of the seventeenth century had felt far less Scottish influence, had much weaker trading links with Norway than did Orkney.

Of our three island groups Shetland is by far the furthest from the Scottish mainland (from Bressay Sound to the coast of Aberdeenshire is about 200 miles). It also lay on the trade route round the north of Scotland to the West Indies. Round the shores of Shetland lay rich fishing grounds. A combination of these three factors brought foreign merchants, sailors and fishermen to Shetland in numbers unknown in the other island groups, although towards the close of the seventeenth century the application of mercantilist laws, which aimed to increase British trade at the expense of foreigners, was beginning to drive the German merchants away. Shetland was different from our other island groups in another way: there was a large and chronic deficiency of one of the basic necessities of life - grain. This meant that the common people of Shetland took a far more active part in trade than did the inhabitants of either the Western Isles or Orkney. For they had to sell the fish they caught in order to obtain meal for food and seed grain.

The factors influencing the pattern of trade were, then, predominantly physical. Geographical location, the nature of the surplus produce of the islands and the commodities which they lacked all were important in determining the pattern of trade. This pattern was considerably modified by political factors such as the state of peace or unrest in the islands and on their trade routes, and the nature and application of laws affecting trade. Historic ties, on the other hand, had only a minor effect on the pattern of trade.

Chapter VII

Relative Wealth, Status and Society

This chapter sets out to examine the position of different social groups in our island communities, their wealth, status and relationships with one another, and finally to draw conclusions about the nature of society in the different island groups and the direction towards which it was tending. The main sources drawn upon are testaments, personal accounts and topographical descriptions; but in addition the findings of the previous chapters, based on all the sources which we have examined, will be brought to bear on the theme of this chapter.

From our study of the Western Isles three distinct social groups have emerged. Firstly, there was a very small group of landowners generally possessing very large, though fairly compact estates; these men often belonged to families which had owned their lands for many generations, and many of them were the chiefs of a clan of followers who were also the tenants of their lands. Secondly, there was the much larger group of tacksmen who leased one or more farming townships, and who paid a rent which was usually significantly below the real worth of the lands; but they also rendered to their landlords military, administrative and sometimes specialised professional services which were of great value in the running of the estates and essential to the organisation of the clan. These men were usually either relations of the proprietor of the land, or the heads of prominent local families. Thirdly, there was the mass of small joint tenants of townships who might hold their lands directly from the proprietor, or who might be the subtenants of tacksmen. To this class

belonged a number of small local craftsmen who supplemented their earnings from their trade by farming.¹

In the Northern Isles where the pattern of land ownership and land tenure was much more complex, class divisions were not so simple. Apart from the crown lands at those times in the seventeenth century when they were in private hands, there were no vast private estates in either Orkney or Shetland. There was a small group of moderately large estates, but most landowners had much smaller holdings, and many, especially in the earlier years of the seventeenth century, had minute landed possessions, often only a small fraction of a township. To complicate the pattern still further, estates were often scattered and landowners large and small frequently also rented land. Moreover, there was much buying and selling of land: a man who was a landowner one year might be a tenant the next, and vice versa.

Nevertheless, certain broad class divisions are discernible. The small number of landowners who owned the largest estates in the Northern Isles formed a distinct social group. As we shall see, they were much wealthier than other local landowners, and Storer Clouston has pointed out that it was generally men of this class who held the vital office of parish bailie, and occasionally managed to secure a tack of the crown or bishopric lands.² A second social group was formed by lesser landowners and larger tacksmen who were, along with the larger landowners, termed

1. It should be noted that smiths usually had larger than average holdings, and a few can be classed as minor tacksmen, e.g. Donald Morrison, the smith, who held the pennyland of Druimphuirt in Harris in 1698 (MacLeod Papers, Rental of Harris 1698). Their prestige probably derived in great measure from the fact that they made weapons and armour.

2. Storer Clouston, History of Orkney, 331-4; and see above, pp. 37-39.

gentlemen by contemporary observers, and distinguished carefully from the common people who laboured the land. These men owned or rented all or most of one or more farming townships. Along with this group may be classed the locally-based merchants and professional men of the Northern Isles. A third social group was formed by the mass of small farmers of the islands who might be very small landowners or tenants or both. This group included the small craftsmen of the islands who, like their counterparts in the Western Isles, supplemented their living by farming.

There is no doubt that in the later seventeenth century the largest landowners of the Western Isles lived a life of greater material splendour and pomp than did the largest landowners in the Northern Isles at that time. They were probably rivalled only by Earl Patrick Stewart in the opening years of the seventeenth century, and the Earls of Morton in the middle of the century. The latter, however, were not normally resident in the islands.

Because no informative testaments have survived for any of the great seventeenth century clan chiefs of the Hebrides,¹ there is no way of knowing the total value of their possessions. But extant personal accounts give us many glimpses of the style in which they lived. They spent heavily on clothing and personal adornments. We have already mentioned Clanranald's account of 1669 with George Graham, an Edinburgh merchant, for such items as silver buttons, lace, silk, satin, French ribbon and London cloth; the total bill was £702-8-8d.² The papers of

1. N.B. Testaments survive for John (Iain Breac) MacLeod of Dunvegan, who died in 1693, and Roderick MacLeod of Dunvegan, who died in 1699, but these record only a few debts owing to them (Isles Tests., vol. ii).

2. Clanranald Papers, Acc. of Clanranald with G. Graham to Dec. 1669 (GD 201/1/350/8).

MacLeods of Dunvegan include many such accounts. In 1673 the MacLeod chief owed a bill of £74-16/- to Thomas Swan, a cordiner in Edinburgh, for several pairs of boots, shoes and slippers, including waxed boots for MacLeod himself at a cost of £12 a pair.¹ In the 1690s the MacLeod family incurred a series of huge bills for cloth and tailoring with Duncan Mackintosh of Edinburgh: a bill covering items ordered in 1690 and 1691 amounted to £1041; another of 1694 totalled £1117-10-2d; and an account of 1693 for mournings for MacLeod and his wife alone came to £825-3-2d.² Among the MacDonald papers there is a receipted account of 1705 paid by Sir Donald MacDonald of Sleat to Colin MacKenzie, goldsmith in Edinburgh, for three and a half dozen 'round gold buttons newest fashion' costing £705-12/-; in part-payment Sir Donald had sent twenty dozen and ten small gold buttons, which had perhaps gone out of fashion.³

The MacLeod papers are a particularly rich source for seventeenth century household accounts. They show that luxury foods and household articles were purchases (often in Glasgow) for the use of the chief's house. In 1686, for example, MacLeod owed Patrick MacCaskill, a Glasgow merchant, £41-15-8d 'for suggar, sweetmeats and soap I [MacCaskill] sent to his honours use'.⁴ And in 1692 Rory Campbell purchased in Glasgow

1. MacLeod Papers, Acc. of the laird of MacLeod with T. Swan, from 2 Jan. 1673 (box 25).
2. Ibid., Accs. of the laird of MacLeod to D. Mackintosh, 15 Aug. 1691; ...1694; and 17 May 1693 (box 25).
3. Ld MacDonald Papers, Acc. of Sir D. MacDonald with C. MacKenzie, 28 June 1705 (GD 221/86).
4. MacLeod Papers, Acknowledgment of Obligation by John MacLeod of Dunvegan to P. MacCaskill, 5 Oct. 1686 (box 15F, no. 109).

on MacLeod's behalf goods worth £223-12-8d, including prunes, raisins and currants, nutmegs, black spice and aniseed, some vinegar, fifty pounds of sugar, an oven and various pewter vessels.¹

Wine, as we have already seen, was purchased by the chiefs in large quantities, especially in the early seventeenth century.² The Privy Council regulations of 1616 set limits on the quantity of wine permitted to chiefs: four tuns (large casks) each to MacLeod of Dunvegan and MacDonald of Sleat; one tun each to MacDonald of Clanranald, MacKinnon of Strath, MacLaine of Lochbule and MacLean of Coll.³ These allowances were still generous, even if they were adhered to. But it seems likely that at first they were flouted, since in 1622 the Privy Council forbade traders to send more wine to the islesmen than they were allowed by law.⁴ In 1624 Sir Rory MacLeod of Dunvegan granted an obligation to Robert Campbell, a merchant in Stornoway, for £509 on account of wines which he had purchased from him.⁵ It is not clear whether the Hebridean chiefs had significantly reduced their consumption of wine by the later years of the seventeenth century since the author has been unable to discover any accounts for wine dating from this period.

Chiefs were also sufficiently wealthy to be able to spend very large sums on the education of their children and other close relations in Lowland towns. In 1690, for instance, a discharge was granted by

1. *Ibid.*, Acc. of the laird of MacLeod with R. Campbell, 18 Sept. 1692 (box 25).
2. See above, p. 275-6.
3. *RPC*, 1st series, x, 775 and 780.
4. *Ibid.*, xiii, 21.
5. MacLeod Papers, Letters of Horning against MacLeod of Dunvegan, ... 1625 (box 24).

Donald Shaw in Edinburgh for the sum of £720 for one and a half year's board for Roderick, heir to John MacLeod of Dunvegan, his governor, and a servant.¹ In 1699 Sir Donald MacDonald of Sleat ordered £670-5/- to be given to John MacDonald, his brother, who was a student, probably in Edinburgh;² and in 1706 he owed a bill of £550-8-8d for the education of his daughter, Mary, also in Edinburgh, who was receiving lessons in writing, French, sewing, dancing and music.³

The debts of chiefs in the later seventeenth century were commensurate with this scale of expenditure, and they have already been discussed at length in relation to the large numbers of wadsets and apprisings of property in the Western Isles at that time.⁴ Here it is sufficient to recall that according to a list drawn up in 1679, Sir James MacDonald of Sleat owed debts of over 100,000 merks;⁵ and that in 1700 Clanranald's debts to Sir Donald MacDonald of Sleat alone amounted to £64,000.⁶

It is certain that in the very early years of the seventeenth century the large landowners of the Western Isles lived in a much simpler manner, since they had few contacts then with the government and with the sophistication of life in the capital city, and much of their attention was

1. Ibid., Discharge by Donald Shaw to Mr Alex. MacLeod, 19 May 1690 (box 16).
2. Ld MacDonald Papers, Acc. of Sir Donald MacDonald [with Mr John MacKenzie] to Mar. 1699 (GD 221/7).
3. Ibid., Acc. of Money given out since May 1704 for Mary MacDonald (GD 221/7).
4. See above, pp. 70-77.
5. Ld MacDonald Papers, Principal Sums due by Sir Jas MacDonald of Sleat to his Creditors Undernamed, 18 Apr. 1679 (GD 221/6).
6. Ibid., Acc. of Sir Donald MacDonald with Clanranald, 27 May 1700 (GD 221/66).

taken up by endemic feuding among themselves. But with no limit on the number of household retainers they might keep, entertainment was probably, if anything, more lavish.

Testaments are extant for one or two of the smaller landowners of the Western Isles. They show that, as we should expect, these men lived in a much more modest style. John MacDougall of Ardencaple, feuar of ten merklands in Seil, died in 1674. His possessions, including his animals and crops, were worth only £809. He had fifteen cows and twelve followers, seven horses and mares, fifty sheep, crops valued at £250, one boat and a half share in another, and household goods worth £102-10-8d.¹ John Campbell of Ballinaby in Islay, who had a feu of that township and several others nearby, had possessions worth £3,296 when his wife, Katherine Campbell, died in 1713. His stock of animals included 60 full-grown cows, 120 sheep and 26 horses and mares; his crops were worth £600 and his household plenishing £330. The contents of his house are enumerated in great detail and show that he lived in comfort, although not in extreme luxury. There were six chairs, two big tables, six chests and two girnells (meal-chests), five beds all equipped with bedding, and a number of pewter plates and vessels; for cooking there were four pots, raxes and two spits, and for spinning there were four wheels; besides these things, there were several articles of silver, including a dozen silver spoons worth £96.²

The largest landowners of the Northern Isles lived in much less splendid style than the Hebridean chiefs, but were considerably better off than MacDougall of Ardencaple. In terms of the material comfort of

1. Argyll Tests., i, fos. 1-2, conf. 24 Nov. 1674, and see above, p. 29.

2. Isles Tests., iii, fos. 11-13, conf. 28 Aug. 1728.

their households many of them were better off than Campbell of Ballinaby. The wealthiest Orkney landowners of the middle of the seventeenth century can be determined, as we have already seen, from the valuation of Orkney of 1653. There were eight proprietors whose lands brought them an annual income of over £1,000 a year, and, roughly speaking, they may be equated with the social group of the largest landowners in Orkney.¹ In descending order of income they were David MacLellan of Woodwick, (£1,800), George Bellenden of Stenness (£1,400), Col. John Stewart of Newark and James Baikie of Tankerness (£1,300), Patrick Smith of Braco (£1,200), Hugh Halcro of that Ilk and Patrick Monteith of Egilsay (£1,100), and William Stewart of Mains (£1,000).² The testaments of two of these men, Col. John Stewart of Newark and Hugh Halcro of that Ilk, and the wife of a third, Patrick Smith of Braco, date from within sixteen years of this valuation, and give us some idea of the material wealth of this group of landowners.

Patrick Smith of Braco and his wife, Katherine Graham, who died in 1637, had at that time moveable goods worth £2,045, including fifty cows, twenty-one horses, five oxen, a hundred sheep, crops worth £712 and household goods to the value of £600.³ Col. John Stewart of Newark, who died in 1662, had possessions worth £2,280: only £239 of this was accounted for by animals and crops on lands in his own hands; £437 was the value of horses, cows, oats and bear held by his tenants in Brough (Sanday) in steelbow; £1,200 was the worth of rents which he had received;

1. See above, p. 37; and Storer Clouston, History of Orkney 331-4.

2. GD 1/303/1. N.B. Incomes are given here to the nearest hundred pounds.

3. O & S Tests., iii, fos. 269-70, conf. 17 Jan. 1638.

and £340 was the value of his household goods.¹ Hugh Halcro of that ilk, who died at some time before July 1666 when his testament was confirmed, had possessions valued at £2,774 (including goods worth £1,640 wrongfully removed by his widow): besides seventeen horses, eleven cows, one hundred and fifty sheep, and crops worth £48, most of his possessions were household furnishings and silver and gold jewellery and ornaments worth in all over £2,000. These included many articles similar to those possessed by John Campbell of Ballinaby in Islay. Halcro had three feather beds all with bedding, three chairs, nine buffet stools, four tables, four chests, two girnells and two trunks; he had many pewter plates and vessels, two iron pots and raxes and spits, and he, like Campbell, possessed a dozen silver spoons. But he also had a number of more exotic items such as a pepper quern, a mirror glass, and a mortar and pestle; moreover this itemised list does not include any of the goods taken away by his widow, and the latter were more valuable than all that was left.²

With no seventeenth century valuation of Shetland it is not possible to determine precisely who were the largest landowners in Shetland at any particular date. But it is possible to examine the testaments of a few men who are known to have belonged to this class of landowner. By far the wealthiest of them whose testament has survived was Robert Sinclair of Brough (Nesting), who owned lands in most of the parishes of the north and west mainland of Shetland and in the north isles and who died in 1616. According to his testament, landmails and duties were owed to him from 1,200 merklands. His total possessions were worth £26,486,

1. Ibid., ix, fos. 5-6, conf. 15 Jan. 1664.

2. Ibid., viii, pp. 237-41, conf. 11 July 1666.

of which more than £10,000 was the value of his agricultural stock which included 124 horses and mares, 60 oxen, 250 cattle, young and old, over 3,000 sheep and £2,825 worth of grain; he had a ship worth £2,000 as well as fifteen other boats; the value of his gold and silver ornaments, jewels and money was £9,600, and the rest of his household plenishing was worth £2,000. The debts owed to him amounted to £5,640 but what he owed to others is not stated.¹ The inventory of this testament is by far the biggest from the Northern Isles in the seventeenth century, but Sinclair's household plenishing (which included his clothing) must have been much less valuable than that of the MacLeods of Dunvegan in the 1690s for they were regularly spending sums of £1,000 or more on clothes alone.²

Other large landowners in Shetland had possessions much more in keeping with their counterparts in Orkney. Laurence Bruce of Cultmalindie, for example, founder of the family of Bruce of Muness, had possessions worth £2,179 when he died in 1617: he had horses, cattle, sheep and crops worth over £1,000, and household goods to the value of £902.³ James Sinclair of Quendale, the largest landowner in the south mainland of Shetland, possessed on his death in 1637 goods worth £1,779, of which agricultural stock accounted for over £1,000 and household goods £671.⁴

In some other respects the life style of the largest landowners of Orkney resembled that of the proprietors of the Western Isles, but on a much more modest scale. This is clearly demonstrated by the accounts of the Grahams of Breckness in the later seventeenth century. This

1. Ibid., iii, fos. 1-3, conf. 25 Mar. 1628.

2. See above, pp. 326-7.

3. O & S Tests., i, fos. 51-52, conf. 16 Sept. 1620.

4. Ibid., v, fos. 14-15, conf. 4 July 1648.

family owned extensive lands especially in the parishes of Sandwick and Stromness. In the 1680s and 1690s Harry Graham of Breckness and his sister, Margaret, regularly dealt with an Edinburgh tailor named Thomas Preston; but the bills they incurred were generally below £100, although one was as much as £268-11-2d.¹ There is also an account of 1665 due by Breckness to Andrew Smith, brother of Patrick Smith of Braco, for mourning clothes needed because of the death of his father. The total bill for £60-9-2d may be contrasted with MacLeod of Dunvegan's bill for £825-3-2d for mournings in 1693.² In 1700 the laird of Breckness had an account with Colin MacKenzie, the Edinburgh goldsmith also patronised by Sir Donald MacDonald of Sleat; but Breckness's bill was only £54-17/- for six silver spoons, which were luxuries particularly prized in Orkney and Shetland.³ The Grahams of Breckness also bought sweetmeats similar to those purchased by the MacLeods of Dunvegan. In 1664, for instance, four pounds of prunes, four pounds of raisins and one pound of figs, among other things, were purchased from Arthur Baikie, the Kirkwall merchant; and between December 1673 and March 1675 sugar, prunes, raisins, aniseed, pepper, vinegar and brandy were supplied by him to the family.⁴

The Grahams of Breckness in the 1660s sent their sons to the local grammar school at Kirkwall.⁵ But in 1685 two daughters of the family,

1. Scarth of Breckness, Six Receipted Accs. for Tailoring and Materials, between Breckness and T. Preston, 1685-98 (GD 217/1000).
2. Ibid., Acc. of Breckness with A. Smith, 26 Sept. 1665 (GD 217/994); and see above, p. 326.
3. Ibid., Acc. of Breckness with C. MacKenzie, 9 Apr. 1700 (GD 217/1008); and see above, p. 326.
4. Ibid., Accs. of Breckness with A. Baikie, paid 3 Mar. 1665 and 21 Mar. 1675 (GD 217/993).
5. See above, p. 262.

Euphemia and Anna, were being educated in Edinburgh as were the children of some of the Hebridean chiefs. In March 1686 Harry Graham of Breckness paid a bill of £180-2/- for four months board for the two girls with Mrs Keill, and fees and expenses for teaching them drawing, music and cookery.¹ Expenditure on this scale for the education of their daughters in fashionable subjects must have imposed a heavy burden on the finances of even the wealthiest Orkney landowners.

No such detailed evidence is known to have survived concerning any of the great seventeenth-century landowners in Shetland. One of the very few extant accounts between landowner and merchant is one due to Andrew Greig, merchant in Scalloway, for items bought between 1692 and 1697 by Patrick Umphray of Sand, who owned much land in the west mainland of Shetland. Umphray had bought a wide variety of goods from Greig: a Scots hat, a French hat, several pairs of shoes, linen, brandy, tobacco, nails and haddock hooks; the total bill was £69-3/-.² It is not known, however, whether or not this represents a pattern of expenditure typical of the class of large landowners in Shetland. But it is known that at the close of the seventeenth century some Shetland landowners were sending their children to be educated in the south, since there was at that time no grammar school in Shetland; Brand tells us that they regarded it as a great expense.³

1. Scarth of Breckness, Acc. of Breckness with Mrs Keill, paid 10 Mar. 1686 (GD 217/1001).
2. Bruce of Symbister, Extract of Patrick Umphray's Acc. due to Andrew Greig 1692-1697 (box 2).
3. Brand, Brief Description, 103.

A few extant testaments show that some of the biggest tacksmen and wadsetters of the Western Isles were comparable in wealth to most of the large landowners of Orkney and Shetland. Alexander MacDonald of Paiblesgarry in North Uist, who was either a tacksmen or a wadsetter on MacDonald of Sleat's land there, had possessions worth £3,430 when he died in the 1660s. His agricultural stock included 81 cows, young and old, 36 work-horses and 12 mares, 120 sheep, and crops worth £1,144; his household goods were valued at £796, but were not itemised except for a silver cup (£33-6-8d), an aquavita pot (£66-13-4d), twenty-two pewter dishes (£33), and two quart stoups (£6-6-8d).¹ Hugh MacDonald of Glenmore, a son of Sir James MacDonald of Sleat, and a wadsetter and tacksmen of lands in Trotternish in Skye, died in 1696. The possessions listed in his testament (which appears to be incomplete) were eighty full-grown cows and forty young ones, four horses, ten mares, and household plenishing valued at £200.² The household plenishing is not itemised in the testament, but a separate list of moveable property made at the time of his death gives details of the household goods received by his widow and his son, Alexander MacDonald. They include many articles similar to those listed in the testaments of Hugh MacDonald of Ballinaby in Islay and Hugh Halcro of that ilk in Orkney: there were feather beds, bedding, tables, tablecloths and serviettes, chairs, candlesticks, dishes and drinking vessels, some chests, a press and a girdle, pots and pans and a twelve-gallon kettle (for brewing).³

1. Ld MacDonald Papers, Test. of A. MacDonald of Paiblesgarry, conf. 16 July 1680 (GD 221/106).
2. Ibid., Test. of H. MacDonald of Glenmore, conf. 11 June 1702 (GD 221/1).
3. Ibid., List of the Moveables of late H. MacDonald of Glenmore on his death in 1696, 28 Aug. 1728 (GD 221/7).

There is little information to be gleaned from the sources concerning the wealth of lesser tacksmen. There is, however, a testament from Mull made in 1711 on the death of Mary MacQuarry, wife of Donald Innes in Druimghigha who appears to have been a small tacksman, since the yearly rent which he paid to Lachlan MacLean of Calgary, his landlord, was £80 - a figure greater than that paid for most single townships on the estate of Duart in Mull in 1674.¹ Innes possessed moveable property to the value of £478 including eighteen mature cows and thirteen young ones, eight horses, twenty sheep and goats, twenty-four bolls of grain worth £48, and household plenishing valued at £10.² What precisely his household plenishing was we do not know, but another testament from Mull - that of Donald MacInnes in Ardmore in the parish of Kilmore, who died in 1708 - lists household goods worth £11, which comprised a pot, a chest, and a gun,³ which suggests that Donald Innes in Druimghigha and his wife must have had the simplest of household furnishings. We see, then, that within the class of tacksmen in the Hebrides there were vast differences in wealth and material comfort, which ranged from standards comparable with the lesser landowners of the area to standards which were, as we shall see, not very much higher than those of some joint tenants.

In the range of their material standards of living the tacksmen of the Western Isles invite comparison with the landowners of Orkney and Shetland. But the latter were even more diverse, for they included the smallest udaller as well as the largest feuar, and they ranged in wealth

1. See above, pp. 98-99.

2. Isles Tests., ii, 13, conf. 27 Sept. 1711.

3. Isles Invs., Inv. of D. MacInnes, conf. 17 June 1709 (CC 12/5/1).

from those who were at least as prosperous as the wealthiest of tacksmen of the Western Isles to those who were no better off than the meanest tenant. The largest landowners we have already discussed. Let us turn now to lesser, but still substantial proprietors. We should remember that these men, like all landowners in the Northern Isles, might also have rented land. Tacksmen in Orkney and Shetland were not a separate social group from landowners.¹

There is space to cite only a few of the many examples of men of this social group whose testaments have survived. From Orkney, George Smith of Rapness in Westray, whose annual income from land according to the valuation of 1653 was some £675, had possessions worth £345 when he died in 1667: of this, his agricultural stock (comprising eight horses, eleven cows and four oxen) was valued at £160, and his household goods (including a furnished bed, tables, leather chairs, brass candlesticks, pewter, a copper oven, and silverwork worth £64) were valued at £185.² George Halcro of Cava, whose lands brought him an annual income of £193 in 1653, owned goods worth £340 on his death in 1656: his agricultural stock was valued at £277, and his household plenishing and clothes at £43.³ Andrew Linklater of Linklater in Sandwick, head of one of the most substantial of the old udal families in Orkney in the first half of the seventeenth century, died in 1634. The annual value of his income from land is unknown, but in 1653, the head of the family, Alexander Linklater of Linklater, had an income valued at £66-13-4d from his lands in Sandwick. At the time of Andrew Linklater's death his goods were worth £740, most

1. See above, pp. 108-9 and 138.

2. O & S Tests., x, fos. 15-16, conf. 9 Aug. 1667.

3. Ibid., fo. 116, conf. 27 Oct. 1669.

of which was accounted for by agricultural stock (including ten horses and mares, seven oxen, fourteen cows with followers, and crops worth £359); the value of the household plenishing was only £30.¹

Because there is no seventeenth century valuation of Shetland it is impossible to calculate the annual income derived by Shetland landowners from their lands. But we have already seen that around the year 1664, when many landowners obtained confirmations of their holdings, the largest private estates in Shetland were over 500 merklands in extent.² Using this as a guide, it is possible to find some Shetlanders whose testaments are extant, who were lesser but still substantial landowners. We know, for instance, that James Strang of Voesgarth, who died in 1632, owned at least 200 merklands in Unst, Yell and Fetlar, for they were made over to him by a charter of 1626 from Christian Strang, daughter of the deceased Bartilmo Strang of Voesgarth, and niece of the new proprietor.³ At the time of his death James Strang owned goods to the value of £411, including twelve horses and mares, six oxen, nine cows, twenty sheep, crops worth £60, and household goods worth £123.⁴ William Sinclair of Ustaness, who died in 1610, was another landowner who fell into this category. He and his wife, Elizabeth Sinclair, probably owned at least 59 merklands in various parishes in Shetland, since after his death she disposed 38 merklands in Tingwall, Delting, Nesting and Whalsay to their son, Laurence Sinclair of Ustaness, and in 1624 the same Laurence Sinclair made over the 21 merklands of Ustaness to his eldest son, William.⁵ In 1610 William

1. Ibid., iii, fo. 218, conf. 9 June 1636.

2. See above, pp. 38-39.

3. PRS O & S, Shetland, ii, fos. 83-84, regd. 20 Jan. 1627.

4. O & S Tests., iii, fo. 157, conf. 29 Aug. 1633.

5. PRS O & S, Shetland, ii, fos. 39r and 94-95.

Sinclair of Ustaness had possessions worth £754: his agricultural stock was worth £540, and his household plenishing (including five feather beds, four bed coverings, fourteen silver spoons and other unspecified articles) was valued at £169.¹

It has already been shown that many ministers in Orkney and Shetland and many of the local merchants of Orkney had close connections with the class of substantial landowners and farmers.² Here it will be sufficient to cite few examples to show that their material wealth was comparable with men of this social group. When Mr James Wilson, minister of Deerness and St Andrews (Orkney) died in 1632, his possessions were worth £327: he had three horses and three cows, and crops on his glebe land worth £72; besides this his household plenishing was worth £91, and he had books to the value of £100.³ Another Orkney minister, Mr James Shanks of Hoy and Graemsay, who died in 1682 or 1683, had possessions worth £159: he kept two cows, though he had no other agricultural stock; his household goods were worth £71, besides books to the value of £20 and nine rex dollars (foreing coins) worth £26.⁴ From Shetland, the minister at Unst, Magnus Norsk, possessed at the time of his death in 1632 goods worth £243: his agricultural stock was valued at £181, and his household goods (which included a kettle, two silver rings and two silver spoons, besides other unspecified articles) amounted to £38.⁵

1. O & S Tests., ii, fos. 156-7, conf. 3 Aug. 1613.

2. See above, pp. 254 and 305-6.

3. O & S Tests., iii, fos. 261-2, conf. 28 Oct. 1637.

4. Ibid., xi, fo. 122r, conf. 3 Aug. 1683.

5. Ibid., iii, fos. 157-8, conf. 29 Aug. 1633; for examples of other wealthier ministers of Shetland, see Donaldson, Shetland Life, 82-83.

Among merchants, Arthur Sinclair in Kirkwall, who died in 1622, had possessions valued at £468, of which the household plenishing accounted for £100;¹ Mitchell Rendall, another merchant there, who also owned land in the island of Westray, had possessions worth £602 when his wife died in 1682 or 1683; besides agricultural stock valued at £269 and merchandise worth £133, he had household goods worth another £133 and clothing worth a further £30.² Professional people such as lawyers lived in a similar standard of material comfort. William Geddes, for example, a notary who died in 1681, had an inventory worth £85 all of which consisted of household goods.³

The bulk of the population in both the Western and the Northern Isles were not substantial landowners, tacksmen, professional people or merchants. They were small farmers labouring only a share of the land in a township. These people lived in a much humbler manner than most of the members of the social groups which we have discussed above. In Orkney 75% of seventeenth-century testaments contain an inventory of possessions valued at £150 or less. In Shetland the corresponding figure is 82%. In those islands in the Hebrides where testaments and inventories have survived for the poor as well as the rich (Lismore, Luing, Seil, Kerrera and Mull) in the period 1670-1715, 70% contain inventories of possessions valued at £200 or less. It would, however, be unwise to conclude that the small farmer in the Hebrides was, on average, more prosperous than his counterpart in the Northern Isles. For one thing, in the testaments and inventories

1. O & S Tests., i, fos. 89-90, conf. 1 Feb. 1623.

2. Ibid., xi, fos. 118-19, Test. of Barbara Irving, conf. 17 July 1683.

3. Ibid., fos. 122-3, conf. 14 Aug. 1683.

from the Western Isles, cattle (which were usually sold when only a few years old) were generally valued at £12 to £14 a beast; in Orkney and Shetland (where cattle were often kept until they were very old) their value was commonly only £6 to £8.¹ Secondly, we have no evidence whatever of the general level of wealth among the small farmers of most of the islands in the Hebrides in the seventeenth century.

It is not proposed to deal here at length with the agricultural stock of the small farmer. This was discussed very fully in chapter four. What we shall consider is his material standard of living in so far as it is revealed by the household possessions listed in his testament. In those parts of the Hebrides from which testaments and inventories of small farmers have survived, almost all had household possessions valued at £10 or less. In some cases these possessions are itemised. John Stewart in Belonackyach [Ballinasack?] in Lismore, for example, had on his death in 1700 two chests and a pot (£5-6-8d), and an old sword (£2); his goods and gear were worth altogether £41.² John Bane McOlworry in Ulva, who died in 1699, had household goods worth £5-2-8d (a quern, a pot and two chests) in an inventory valued altogether at £80.³ Donald Campbell in Mingary in the north of Mull had possessions worth £118 when he died in 1708; of this, his household goods (a pot, a chest and a sword) were valued at £5-6-8d.⁴

In the Western Isles all small farmers were tenants. In the Northern Isles this was not the case. In the earlier years of the

1. See above, pp. 204-6.

2. Argyll Invs., ii, Inv. of J. Stewart, conf. 4 Nov. 1700 (CC 2/5/8, fo. 24r).

3. Isles Invs., Inv. of J. McOlworry, conf. 22 June 1709 (CC 12/5/1).

4. Ibid., Inv. of D. Campbell, conf. 17 June 1709 (CC 12/5/1).

seventeenth century there were in both Orkney and Shetland great numbers of very small landowners, the legacy of the old Norse udal mode of landholding in the islands. Because of the impoverishment of the udallers and increased Scottish influences, in particular the support which Scottish law gave (after its introduction in 1611) to feudal terms of landholding, the number of small udal landowners declined drastically in the course of the seventeenth century.¹ But even by 1700 some small farmers owned the land they laboured, although they frequently also rented some land. As has already been explained, it is in most cases impossible from the debt lists in testaments to distinguish a landowner who was also a tenant from a man who only rented land;² but it is possible to distinguish small landowners who did not rent land, and show that some of them were among the poorest farmers in the islands.

In 1620 died Marion Phame, wife of James Firth in Binsquoy in the parish of Firth (Orkney). Firth and his wife must have owned their lands since they paid scat but not landmails to the chamberlain of Orkney. Their possessions (an old mare, an ox, a cow and two followers, two sheep, a little grain, and household articles worth £3) were valued in all at £22-10/-. Besides scat duty converted to money at £2, they owed the chamberlain £5 in 'byrun' debts. When Marion's funeral charges (£2) were deducted, the net value of their estate was only £13-10/-.³ Magnus Cromartie in Cletts in South Ronaldsay, another small landowner, had goods valued at £30, and a net estate of only £22 when he died in 1622.⁴

1. See above, pp. 57-68.

2. See above, pp. 138-9.

3. O & S Tests., iii, fo. 223r, conf. 12 Oct. 1636.

4. Ibid., i, fo. 91v, conf. 5 Mar. 1623.

From Shetland Schewart Olason in Brunnagar, Northmavine, was a small landowner who died in 1608. His inventory amounted to £33-10/-, and his net estate to £31. His possessions consisted of household goods worth £2, grain worth £2-10/-, a ewe and four cows.¹ We should, however, remember that although these inventories were very small, the possession of one or two cows and sheep and a little land was probably enough to keep a family from extreme want.

Very few of the testaments of small farmers in Orkney and Shetland give details of what constituted their household possessions; but, as in the Western Isles, their total value rarely exceeded £10. Alexander Mowat in Linksness in the island of Hoy (Orkney) had total possessions worth only £10 in 1683; of this his household plenishing (a pot, a little chest and a kirn [churn]) was valued at £3 and his clothing at a further £1.² Patrick Cogle in Aikers in South Ronaldsay, who died in 1687, had goods worth £74, of which his household plenishing (an old pot, three old barrels and two old chests) amounted to £3-10/-.³ Harry Robertson in Bardister in the parish of Walls (Shetland) had rather more home comforts. When he died in 1649 he had £11 worth of household goods: there was a quart pot (£1); two little kettles (£4); two old kists [chests], and a coffer wanting a lock (£2); two kits [tubs], two skolls [drinking vessels], an old barrel and an old plate (£1); and a stand of clothes with a cloak of Shetland grey (£3).⁴

In the Hebrides, Orkney and Shetland alike, the furnishings of the

1. Ibid., ii, fos. 120-1, conf. 21 July 1613.

2. Ibid., xi, fos. 131-2, conf. 18 Jan. 1684.

3. Ibid., xiv, fos. 22-23, conf. 16 Mar. 1688.

4. Ibid., v, fo. 70, conf. 28 Aug. 1649.

small farmer's house were very meagre. A cooking pot and a chest (for keeping meal) were standard household articles, but there was often little else of any value. A few simple wooden utensils were probably also needed in every household, but such items were of small value and may well have been ignored by the commissary court officials. It should be noted that in the Western Isles the small farmer often possessed a sword, unlike his counterpart in the Northern Isles. This is a reflection of the more warlike state of society in the Hebrides.

Testamentary evidence shows that there was another large social group which we have not yet mentioned, namely, servants. Wealthy households invariably had servants, but they were also commonly employed by the small farmer. In Orkney almost two thirds of seventeenth-century testaments list fees paid to servants. In Shetland and the islands of the Hebrides from which testamentary evidence survives, about one half of the extant testaments and inventories mention servants' fees. It is difficult to explain why more families in Orkney seem to have employed servants than did families in the other island groups. Farmers in Orkney had more arable land on which to grow crops than did farmers in Shetland, and arable farming with the primitive implements then in use needed a great deal of labour. But in Lismore, Luing and Seil, where arable farming was also important, the number of families employing servants, according to testamentary evidence, was significantly lower than in Orkney.

In the Northern Isles the testaments from the period 1600 to 1650 usually list the individual servants to whom fees were owed. They show that small farmers with inventories of £150 or less usually employed from one to three servants, although occasionally four or even more were listed. There is space here for only a few examples. In Orkney Nicol Leisk in

Groundwater, Orphir, who died in 1605 with possessions worth £39, had a manservant, John Leisk, to whom he owed a fee of £6.¹ Ola Rousay in Holland in the island of Stronsay, whose goods and gear when his wife died in 1604 were valued at £71, had three servants, two men to whom he owed £3-10/- and £2-10/- respectively, and a woman whose fee was 26/8d.²

Alexander Gyre in Thurvoe in the Isle of Walls, whose inventory was valued at £125 in 1634, had two servants, a man to whom he owed £3 and a woman to whom he owed 30/-.³ In Shetland Matthew Robertson in Gardin, Lunnasting, whose possessions in 1643 were worth £43, had two servants; Adam

Manson whose fee was £3-12/-, and Segerie Nicolsdochter whose fee was 36/-.⁴ Magnus Williamson in Langhouse in Unst and his wife, Annie Williamsdochter, who died in 1627, owned goods and gear to the value of £93; they had only one servant, Antonius Olason, whose fee was £3-11/-.⁵

But David Bruce in Wilsness in the parish of Dunrossness, whose goods in 1630 were worth £125, had four servants, two men and two women, to whom he owed a total of £11.⁶

Wealthy landowners had many more servants than this. James Sinclair of Quendale in Shetland had at least thirty-four servants on his death in 1637; among them was a grieve, or farm overseer, whose fee was £10, and a cook whose fee was £20. Altogether he owed servants fees of £271.⁷ Patrick Smith of Braco, the wealthy Orkney landowner who also

1. O & S Tests., i, fo. 10r, conf. 29 Jan. 1612. N.B. Wherever it is specified in a testament, servants' fees were for one year.

2. Ibid., i, fo. 137r, Test. of Bessie Shearer, conf. 24 Mar. 1625.

3. Ibid., iii, fos. 215-16, conf. 23 Apr. 1636.

4. Ibid., i, fos. 186-7, conf. 26 July 1627.

5. Ibid., fo. 183r, conf. 19 July, 1627.

6. Ibid., iii, fo. 95, Test. of Nancy MacPherson, conf. 27 Aug. 1630.

7. Ibid., v, fos. 14-15, conf. 4 July 1648.

heldlands in Perthshire, had an unspecified number of servants, whose fees for the year 1637 amounted to £126.¹

The testaments and inventories from the Western Isles are unfortunately less informative about servants. They do not note the number of servants to whom fees were owed, and none of the surviving testaments of very wealthy people mention servants' fees at all. But they do show that, as in the Northern Isles, even small farmers with few worldly possessions might have a servant or servants. Hector MacLean in Tavool, Mull, for instance, although his goods were worth only £46 when he died in 1708, owed servants' fees of £2-18/-.² Archibald McIlvernock in Balemeanoch in Lismore and his wife, Mary McLauchlan, who both died in 1693 leaving possessions worth £66, owed £2 in servants' fees.³ Donald McInlea in Ardluing in the island of Luing, whose goods and gear on his death in 1688, amounted to £75, owed servants' fees which, together with his funeral charges, totalled £13-6-8d.⁴

Despite the fact that none of the extant testaments of wealthy tacksmen and landowners of the Western Isles in the late seventeenth or early eighteenth centuries mentions servants' fees, it is clear that these people kept large numbers of servants. Writing in the later eighteenth century, John Walker remarked upon the great numbers of servants kept on the farms of the Highlands and Hebrides.⁵ Pennant stated that a tacksmen of £50 a year in Skye often kept as many as twenty servants.⁶

1. Ibid., iii, fos. 269-70, Test. of Kath. Graham, conf. 17 Jan. 1638.

2. Isles Invs., Inv. of H. MacLean, conf. 7 June 1709 (CC 12/5/1).

3. Argyll Invs., i, Inv. of A. McIlvernock and M. McLauchlan, conf. 11 Sept. 1694 (CC 2/5/4, co. 7).

4. Ibid., Inv. of D. McInlea, conf. 21 Aug. 1693 (CC 2/5/2, fo. 18).

5. Walker, Economical History, i, 82.

6. Pennant, Tour in Scotland, i, 358.

Hebridean chiefs, no doubt, had many more servants than the biggest landowners of Orkney and Shetland, since their households with their elaborate structure of military and civil offices were more like courts than simply domestic residences. The reason why the testaments of wealthy men had nothing to say of servants' fees is that in most cases they were clearly only partial accounts of the possessions and debts of the deceased person. The testament of Alexander MacDonald of Paiblesgarry in North Uist, for instance, lists only his goods and gear.¹ But it is extremely unlikely that a person of his wealth would have had no debtors or creditors. Many other testaments list only certain large debts owed to or by the deceased person, and are not concerned at all with household possessions or fees to servants.²

Who formed the servant population? The country acts of Shetland strongly suggest that young people, the sons and daughters of the small farmers, were the main source of servants. An act of 1615, adopted because of the scarcity of servants to labour the ground, forbade masters of boats to transport from the islands 'ony boundis manes servant or boy'.³ An act of 1630 concerning servants forbade the setting of land or houses to anyone who was without £40 of free gear or a lawful trade. And another act (probably adopted before 1675) forbade householders to have more persons in their families 'then affeirand to thair estates, means or land labouring', and ordered them to 'put ane or more of them to any other maisters that neids servants, conform to the ancient forme of the countrey'.⁴

1. *Ld MacDonald Papers, Test. of A. MacDonald of Paiblesgarry, conf.* 16 June 1680 (GD 221/106).

2. See above, p. 325, n.1.

3. *Court Bks O & S 1614-1615*, 69 - italics mine. N.B. a bondsman was probably a tenant farmer.

4. *Morton Papers, Breviate of the Country Acts of Shetland* [1675?], (GD 150/2527).

It seems likely that in the other island groups, too, young, unmarried people formed the bulk of the servant class. But Walker also noted that in the Hebrides and Highlands in the later eighteenth century the number of married servants was very great, and that they were given land to cultivate instead of wages.¹ These people sound very like cottars.²

Testaments were not recorded for unmarried servants, and those of married cottars, if they were recorded, cannot be separately identified. There is, then, little that we can say about their standard of living except that it is likely to have been very low.

So far we have concentrated mainly on what the testaments can tell us about the material possessions of the various social groups, But many other things affected the quality of their lives. One of these was housing. Contemporary descriptions of housing are few, but the available evidence allows some general statements to be made. The general standard of housing appears to have been highest in Orkney. Wallace remarked that free-stone for building was readily available in many parts of Orkney, and that local cockle-shells provided fine lime for plastering.³ Brand related that the houses of the people of Orkney were 'in good order and well furnished according to their qualities'.⁴ According to the General View of the Agriculture of Orkney which goes into much more detail, cottages in Orkney were generally built with stones and clay or stones and sods and thatched (not very skillfully) with straw which was renewed nearly every year. The thatch was often secured by straw ropes weighted

1. Walker, Economical History, 1, 32, 83.

2. See above, p. 82, n.3.

3. Wallace, Description Isles of Orkney, 17.

4. Brand, Brief Description, 25.

with stones which hung on or over the eaves of the building. The eaves themselves were usually fitted with broad flagstones to carry off the rainwater as it dropped from the thatch. The author stated that this type of thatching was common to the Northern and Western Isles (and also to Caithness and Sutherland).¹

The houses of Shetland as described by Sibbald had much in common with the houses of Orkney, but in some respects were of poorer quality. They were, he tells us, 'all built of rough, unhewn stone; the common thatching of them is a sort of divet (they call here flais) and straw and simmons [ropes] above the same, which is renewed each year by the owners about Allhallowtide. Some houses are covered with dales [wooden boarding] and a very few houses are covered with slates'.² Brand tells us that there was very little lime used in house-building in some parts of Shetland, on which account the houses were very draughty.³

In the Western Isles there was more variation in the kinds of dwellings found. The chiefs had their stone-built castles which were not only substantial dwellings but also strongholds in time of war. A government memorandum written in or a little before 1605 concerning the 'strengths' and stone houses of the Isles lists five castles in Skye (including MacDonald of Sleat's castle of Duntulm in Trotternish and MacLeod of Harris's castle of Dunvegan); there was MacNeil's castle of Kiessimul in Barra; MacDonald of Dunivaig's castle in Islay; Duart and Aros castles in Mull (both belonging to MacLean of Duart) and Lochbuie castle, the property of MacLaine of Lochbuie; in Coll there was a castle belonging to the MacLean

1. Shirreff, General View - Orkney, 41.

2. Sibbald, Description of O & S, 14.

3. Brand, Brief Description, 121.

laird of the island.¹

The general standard of housing in the Western Isles was, however, probably poorer than in Orkney or possibly even Shetland. Their recent history of feuding and spoliation gave people little incentive to build good houses, and, as Walker pointed out in the eighteenth century, there was a great scarcity of building material in the Hebrides. Many islands were without even imported wood, lime was scarce and expensive, and there was no free-stone. Where wood was at hand, creel houses (constructed from wooden posts interlaced with branches, and covered on the outside with turf) were erected. The method of thatching was similar to that used in the Northern Isles.²

Martin left a description of the houses of St. Kilda in the late seventeenth century. They were, he wrote, 'low built, of stone and a cement of dry earth; they have couples and ribs of wood covered with a thin earthen turf, thatched over these with straw, and the roof secured on each side with double ropes of straw or heath poised at the end with many stones'. In the winter these houses provided shelter for the cattle as well as the people. It may be that the houses of St. Kilda were of poorer quality than those of Skye where Martin lived, for he remarked that the village of the St. Kildans bore all the signs of extreme poverty.³ Lismore was one of the islands where houses were constructed of wood, for in 1686 Donald MacLean of Kingairloch granted to the Earl of Breadalbane a bond for wood licence by the terms of which he agreed to allow Breadalbane's tenants in Lismore to cut wood from his lands, including oak 'for

1. Gregory's Hist. Colls., Memorandum entitled 'Houssis of the Iles', n.d. but shortly before 18 July 1605 (MS 2133, pp. 81-82).

2. Walker, Economical History, i, 95; and ii, 365.

3. Martin, Description, 313-4.

building and repairing their houses'.¹

In their diet the people of the different island groups had many things in common. Everywhere pastoral activity was an important part of farming, and dairy products - milk, butter and cheese - were an essential part of the diet of the people, especially during the summer months before the harvest was brought in.² From oats and sometimes from bear, meal was prepared for baking, and in those islands where bear was plentiful it was also used to brew ale.³ In almost every island fish was caught for consumption by the local people, and the flesh of seals, whales and sea-birds was an additional source of food for many islanders from time to time.⁴

There were, however, considerable differences in the quantities of the various foods consumed in different islands. These differences were attributable mainly to variations in the resources of particular islands. In St. Kilda, for instance, where sea-birds abounded, the flesh and eggs of these birds were a vital part of the diet of the inhabitants.⁵ In Shetland, where there was a chronic shortage of grain, meal formed a much less important element in the diet of the people than in the other island groups; many of the inhabitants had never tasted ale, but drank bland, a drink prepared from buttermilk and boiling water.⁶ Flesh, on the other

1. Campbell of Barcaldine, Bond by D. MacLean, younger of Kingairloch, to John, Earl of Breadalbane, 1 Mar 1686 (GD 170/203/15).

2. E.g. Martin, Description, 241-2, 268, 294; Brand, Brief Description, 30; and Sibbald, Description of O & S, 17.

3. E.g. Martin, Description, 242, 268, 294; Brand, Brief Description, 27, 113.

4. See above, pp. 212-30.

5. Martin, Description, 306-7.

6. Brand, Brief Description, 108, 114-15.

hand, and particularly fish, was eaten in great quantity.¹

It is harder to explain the small quantities of meat consumed by the inhabitants of some of the islands of the Hebrides where cattle farming was more important to the economy than in either Orkney or Shetland. In both Skye and Tiree Martin tells us that the common people hardly ever ate meat, but in Jura, on the other hand, the inhabitants ate beef and mutton in winter and spring.² It is possible that meat was seldom eaten in those islands where meal was in plentiful supply. This would apply to both Tiree and Skye, where, Martin related, many thousands of the inhabitants lived on bread and brochan (thin gruel) in winter and spring.³ But Jura was a mountainous and largely barren island, and most of its surface was much more suited to grazing than to arable farming. Where meal was plentiful, cattle may have been regarded as too valuable to eat; for they provided the tenant with the means to pay his rent, and they were also widely used as a medium of exchange.⁴

There is no suggestion from seventeenth-century observers that there was a general shortage of food in any of our island groups. But in years of severe famine there were sometimes deaths from starvation. Martin reported that the famine of the 1690s had brought the people of Lewis to great straits, and that many of the poor had died from want.⁵ Deaths from starvation were also reported from Orkney and Shetland during famines

1. Sibbald, Description of O & S, 17-18.

2. Martin, Description, 242, 267-8, 294.

3. Ibid., 242.

4. See above, pp. 283-5.

5. Martin, Description, 95.

in the 1630s and 1690s.¹ In addition, scurvy (a disease caused by lack of vitamin C which is obtained from fresh vegetables) was prevalent in many islands. Martin observed that it was one of the diseases common in Skye.² Brand remarked on its prevalence in both Orkney and Shetland. In Shetland a form of the disease with symptoms like leprosy occurred, and people with this complaint were isolated in huts built in the fields. It was usually attributed to the consumption of too much fish.³

In all our areas clothing appears to have been adequate by the standards of the day. By the later years of the seventeenth century the gentry had adopted the dress commonly worn in the Lowlands. Persons of distinction, wrote Martin in his description of Skye, 'wear the garb in fashion in the south of Scotland'. They had, he said, abandoned wearing the traditional saffron shirt over a century previously. 'They now use coat, waistcoat and breeches as elsewhere; and on their heads wear bonnets made of thick cloth - some blue, some black and some grey'.⁴ The period given by Martin as the time when the gentry changed their mode of dress coincides almost exactly with the beginning of the period when the chiefs and gentlemen of the Hebrides were brought into much closer contact with the government, and therefore, also with the Lowlands.

In Orkney, Wallace tells us, 'The gentrie and these that are of any

1. Kinross House Papers, Draft Signature for a Tack to Wm Dick of Braid of the Earldom of Orkney and Shetland, 22 Oct. 1636 (GD 29/165); and Morton Papers, Declaration of the Gentlemen Commoissioners of Supply and Heritors of the Country of Orkney, 6 Aug. 1698; and Declaration by the Gentlemen and Heritors of Zetland, 26 Aug. 1696 (GD 150/2021/1693-5).
2. Martin, Description, 223.
3. Brand, Brief Description, 26 and 108.
4. Martin, Description, 245-6.

quality, both men and women, love to go fine and be in the fashion';¹ and Brand noted that the gentry of Shetland were to be seen 'in as good order and dress as with us in the south'.² They were, no doubt, kept informed of fashions in the south of Scotland through their trading contacts with that area.

In the dress of the common people there were sharp differences between the Northern Isles and the Hebrides. In Orkney and Shetland plaids were not used. According to Wallace, 'the husbandsmen and their servants many of them use hats and cloaks, and make no use of plaids as in other places'.³ Brand corroborated this, and also remarked that the country people of Shetland were 'honest-like and decent in their apparel as becometh their station'.⁴ But all over the Western Isles, contemporary observers agree that the plaid was the usual dress of the common people, although Martin adds that in Skye many of the people also wore coloured or striped trews, and that in St. Kilda a few people still wore sheep-skin.⁵ The plaid was an extremely useful garment which also served as a blanket at night. According to Martin, the plaids of the men were patterned and the pattern varied from one island to another; some women still wore the arisaid, a form of white plaid with a few stripes which covered their whole body and was belted below the breast.⁶

1. Wallace, Description Isles of Orkney, 38.

2. Brand, Brief Description, 100-101.

3. Wallace, Description Isles of Orkney, 38.

4. Brand, Brief Description, 101.

5. Martin, Description, 246, 272, 308; and Voyage to St. Kilda, 455.

6. Martin, Description, 246-8.

An account of the material standards enjoyed by various social groups does not give a complete picture of their place in the community. The wider concept of the status of each group must also be considered. In previous chapters we have already discussed many aspects of the status of groups within the community. These we must now draw together.

The status of the large landowners of the Western Isles did not depend entirely on their possession of vast estates or great material wealth. Each was also the chief of a clan of followers who were also usually his tenants. This old bond between landowner and tenant was recognised and inadvertently strengthened by James VI and his successors, who followed a policy of making chiefs responsible by general bond for the actions of their followers,¹ and forcing them, on behalf of themselves and their tenants, to conclude bonds of friendship with one another, as in the case of Donald Gorm MacDonald of Sleat and Rory MacLeod of Harris, between whom there was an old feud. They were coerced into signing a bond of friendship at the time of the Statutes of Iona.² In the seventeenth century clan loyalties remained very much alive. They were demonstrated in many ways: in the part played by the clans in the civil war; in the loyalty of the tenants of MacLean of Duart's lands to their chief after his estates had been acquired by Argyll;³ and in the oath taken by the gentry on MacDonald of Sleat's lands in 1678 to save their chief from financial ruin.⁴

1. E.g. RPC, 1st series, vi, 45-46; and ix, 29-30. N.B. This policy was not new in the 17th century, but for the first time it was fairly effective.
2. MacLeod Papers, Bond of Friendship betw. Donald Gorm MacDonald and Rory MacLeod, ... Aug. 1609 (box 7).
3. See above, p. 126.
4. See above, p. 73.

The old practice of fostering, by which chiefs (and sometimes other important men of a clan) allowed their children to be brought up in another family considered worthy of the privilege, continued at least in the early seventeenth century. From as late as 1637 there survives a contract of fostering between John MacLeod of Dunvegan and Mr Neill MacKinnon, parson of Sleat, by the terms of which the minister agreed to bring up MacLeod's third son 'ay and whill he be apt for skoolis'.¹ Among the original aims of fostering may have been the desire to keep the child out of danger, and have him brought up in a household more suitable for children than that of a chief; but fostering also provided a social tie between chiefs and clansmen, which would help to preserve the strength of their society into the future. It should be emphasised that both chief and foster-parent considered the arrangement worthwhile, and the foster-parent was willing to make considerable financial sacrifices for the honour. MacKinnon, for example, agreed to bestow 400 merks on land or annualrent for the benefit of his foster-son.

In the first half of the seventeenth century, power relationships between greater and lesser chiefs and chieftains continued to be expressed by bonds of manrent, documents by the terms of which a lesser chief agreed to put himself (and his clan) under the protection of a greater chief, and to assist him in all his actions against all men, the king usually being excepted. There is extant, for example, a bond of 1627 by the terms of which Ronald MacAllan VicEan, Captain of Clanranald, 'as becumes ane dewtifull kinisman and vassell to his cheif, superior and overlord', bound himself for the well-being of his friends, followers

1. MacLeod Papers, Contract of Fostering betw. J. MacLeod of Dunvegan and Mr Neill MacKinnon, 30 Sept. 1637 (box 24).

and tenants, to attend, assist and follow Sir Donald MacDonald of Sleat, who in return would 'fortifie, maintine, assist and defend' his kinsman and vassal 'as becumes ane loveing and kynd cheif and superior'.¹ As late as 1671 John MacLean of Ardgour and his eldest son, Hugh, bound themselves to follow Sir Allan MacLean of Duart against all men except the king, and against the Earl of Argyll in particular.² It should be remembered, however, that this very late instance of a bond of manrent was the product of a desperate situation for the MacLeans. In general, as the Isles became more peaceful, the numbers of bonds of manrent declined.

The situation of the larger landowners in the Northern Isles was very different from this. Not only were their estates smaller and their material wealth much less, but their position in the society of the Northern Isles contrasted in many respects with the position of the large landowners of the Hebrides. Very few of them had held their lands before the later sixteenth century at the earliest. Most of them, like the Bellendens of Stenness in Orkney and the Bruces of Muness in Shetland, were incomers or the near descendants of incomers from southern Scotland.³ Far from being the traditional leaders of an old established form of society, they imposed themselves and their alien customs upon a society in which landownership was much more widespread, and there were a multitude of medium and small estates, the product of the Norse udal system of landholding, by the rules of which the owner of land had no 'superior', and all his children had the right to inherit part of that land and to

1. Ld MacDonald Papers, Contract betw. Sir D. MacDonald of Sleat and Ronald MacAllan VicEan, 20 Aug. 1627 (GD 221/5).

2. Agreement betw. Sir Allan MacLean of Duart and John MacLean of Ardgour, 8 Mar. 1671, Highland Papers, i, 335-7.

3. See above, pp. 38 and 50.

redeem any land which had been sold outside the family.

Aided by the impoverishment of the udallers at the hands of Earls Robert and Patrick Stewart, the change from Norse to Scots law in the islands in 1611, and the assistance of Scottish-trained lawyers, the new class of large landowners set about accumulating lands mainly at the expense of the udallers, thereby undermining still further the old udal society of Orkney and Shetland.¹ There were no strong social bonds between this new class of large landowner and their tenants or the small landowners of the islands; indeed, there was much resentment against them. We have already cited the complaint made by the tenants of Graemsay against the wife of the proprietor, James Stewart, that she had wrongfully forced them to labour on the lands of her own farm of Sandside because she was not employing a sufficient number of servants of her own.² There is also an undated but almost certainly seventeenth-century complaint made by the inhabitants of Shetland, which states that the gentry were tyrannising the people of the islands in a variety of ways: for example, by taking local land disputes to court in Edinburgh where it was too costly for most parties to pursue their cases, and by having deeds drawn up by notaries with conditions which were not authorised by the other contracting party, thus deceiving the simple and illiterate people who were persuaded to set their hands to the documents.³

The tacksmen of the Western Isles generally held a secure and respected position in society because the functions they had to perform

1. See above, pp. 57-62.

2. See above, pp. 131-2.

3. Morton Papers, A Complaint of the Country, Church and Commony of Shetland, n.d. (GD 150/2540). From the handwriting this complaint was almost certainly seventeenth-century.

were considered essential to the well-being of the kin-based group. The tacksmen were the middle class of the Hebrides. In return for long tacks at an easy rent, they undertook the supervision of the areas of land leased to them, the organisation of the clansmen in time of war, and attendance on their chief on important social occasions.¹ Some tacksmen held their lands in return for specialised professional services in the households of the chiefs. These services (as in the cases of historians, bards and musicians) were necessary not to the administration of the landed estate of the chief but to the continued existence of the clan as a social unit.² In some of the islands of the south west, however, tacksmen had much shorter leases and were granted few (if any) concessions on the rent they paid. These islands belonged to proprietors like the Campbells of Argyll and Glenorchy, who were familiar with the more commercialised attitudes to farming found in the Lowlands, and were introducing them into the more secure of their island properties at the expense in the long term of the social organisation of the clan.³

Even the most secure of the Hebridean tacksmen had little chance of becoming a heritor of land, although, if his chief were hard pressed for money, he might become a wadsetter, as did a number of tacksmen on MacDonald of Sleat's estates in the later seventeenth century.⁴ But for succeeding generations of a tacksmen's family there was normally a decline in status; for in one, two or three generations the tack would expire, and the lands might then be granted not to the same family but

1. See above, pp. 88-93 and 97-99.

2. See above, pp. 267-270.

3. See above, pp. 90 and 99-100.

4. See above, p. 74.

to a close relative of the chief or to some other influential person.

The tacksmen of the Northern Isles were very different. They were not a distinct and separate group within the community with particular social functions. They were themselves frequently also landowners, and in 1664 and 1665 when much of the crown land in the islands was feued by Alexander Douglas of Spynie, many tacksmen became the proprietors of land which they had previously rented.¹ Whereas the tacksmen of the Hebrides generally had substantial rent reductions in return for their services, the tacksmen of the Northern Isles had short leases and paid high rents. Services demanded were agricultural rather than administrative or military and the tacksman was looked upon primarily as a rent-paying tenant. If landowners preferred to lease their land to larger tacksmen rather than to small tenants, it was probably because the former, being men of at least moderate substance, were more likely to pay their rent reliably.²

The wide variety in the sizes of landed estates in Orkney and Shetland and the scattered nature of many of them meant that it was not practicable to organise local administration on the basis of the lands of a tacksman or the proprietor of a moderately large estate. Instead, local administration centred on the parish and the parish bailie, who was usually one of the largest landowners in the islands. There was no tradition of internal fighting in the Northern Isles, and consequently no need for a middle class who could quickly assume the role of military officers.³ Nor was there any place in the society of the Northern Isles for professional

1. See above, pp. 106-9.

2. See above, pp. 109-11 and 113-115.

3. See above, pp. 111-113.

people such as historians and bards, for the larger landowners were not trying to preserve a strong social bond between themselves and the smaller landowners and tenants who made up the bulk of the population.¹

There were some differences also between the social position of the small tenants in the Western Isles and the small tenants and landowners of the Northern Isles. Neither in the Hebrides nor in the Northern Isles did the small tenant have much legal security of tenure, although there is evidence to suggest that in practice security of tenure was much greater than the legal position might lead one to believe.² But the situation of the small tenant in the Hebrides was probably more secure than that of his counterpart in Orkney and Shetland. In the Hebrides the large landowners had social responsibilities in their capacity of leaders of a clan. Since their power depended on the strength of their following, they needed the loyalty of their tenants, large and small. Thus the tenant could look to his landlord to help him if he were in difficulties. MacNeil of Barra, as described by Martin, was just such a paternal landlord: if a tenant lost his milk cows, MacNeil would replace them; if a tenant or a tenant's wife died, the bereaved partner would go to MacNeil and accept his choice of a second spouse; when the tenant became too old to labour his lands, MacNeil would take him into his own household.³ Even on Glenorchy's lands in Lismore, and Lord Neill Campbell's lands in Luining and Seil in the south west, rentals show that in bad years a substantial proportion of the rent was remitted to the tenants.⁴

1. See above, p. 272.

2. See above, pp. 124-8 and 132-5.

3. Martin, Description, 161-2.

4. E.g. Breadalbane Papers, Rental - Benderloch 1611 (GD 112/9/box C); and Rental of Nether Lorne 1698 (GD 112/9/35).

In Orkney and Shetland there was no such relationship between landlord and tenant. A description of 1627 of the parish of Nesting in Shetland expresses succinctly the basic insecurity of the tenant in the Northern Isles. When he was unable to pay his rent, the land was 'either left voyd, or transferred to uther labourers'.¹ It is likely that only when there was a general shortage of people willing to take over the tenancy of lands which had been left ley, would concessions be granted to tenants who could not pay their rent.²

Similarly, as we have already seen, there was little security for the small udal landowners. Their position had begun to be undermined by the Stewart Earls of Orkney, and in the seventeenth century steady pressure was exerted on them by the new class of much larger feudal landowners, working to increase their landed possessions. In the course of the seventeenth century most of the udallers were forced to sell their lands,³ and it seems likely that the prolonged famine of the 1690s, which caused huge arrears of land duties to accumulate, completed their downfall.⁴

For maintenance in his old age and infirmity the tenant or small landowner in the Northern Isles could not look to a benevolent landlord or patron. His first recourse was to his family, (this was probably also the case in the Western Isles). The traditional udal practice had been to allow the youngest son to inherit the house of his parents in return

1. Reports on Certain Parishes in Scotland, 232.

2. See above, pp. 134-5.

3. See above, pp. 63-68.

4. E.g. Morton Papers, Compt of Rests Due by Vassals and Tenants to Mr Robt. Douglas, Tacksman of the Crown Rents, crop 1696, 6 Apr. 1700 (GD 150/2015). This account shows that landowners and tenants in Orkney and Shetland owed arrears of over £11,000 for that year alone.

for supporting them in their old age. The wills contained in several testaments testamentar show that in the seventeenth century parents sometimes made arrangements for one of their children to inherit all their possessions in return for maintaining them. In 1631, for instance, Brita Simonsdochter, widow of Robert Williamson in Hammar, Unst, in Shetland, made a will leaving all her possessions (valued at £179) to her only son, Erasmus Robertson, and his heirs 'they alwayes sustenand me in mait and claithes at bed and burd during al the dayes of my lyfytyme'.¹ In 1643 Andrew Leisk in Groundwater in the parish of Orphir in Orkney made a will in similar terms to his son, Malcolm, for his dutiful love and affection to his father during his 'decrepit age'.²

Another Norse custom was the practice of upgestry which permitted the owner of udal land to dispose of it to anyone who would maintain him for life if his children refused to do so. Thus in Shetland in 1627, Magdalen Laurencedochter, the widow of Laurence Scott in Reafirth, Yell, disposed her four merklands there to Osea Scott of Reafirth who promised to maintain her for life; Magdalen owned to being 'rejectit be my child and not being able to do for myself'.³ A combination of these two Norse customs is seen in a grant of 1625 made by Oliver Sabiston in Stove in north Sandwick, Orkney. He gave half of his one and a quarter merks of land in Sabiston to his youngest son, William, provided that William remained a good servant to him and supported him for the rest of his life.⁴

1. O & S Tests., iii, fos. 143-4, conf. 10 July 1632.

2. Ibid., iv, fo. 87, conf. 3 Jan. 1645.

3. O & S Papers, Charter by Magdalen Laurencedochter to Osea Scott, 24 July 1627 (RH 9/15/94).

4. PRS O & S, 1st series, iii, fo. 16.

In the last resort in Shetland at least, paupers were quartered on the households of the parish where they lived for a length of time which varied according to the number of merklands possessed by each household.¹ This was probably not the practice in Orkney since Shirreff, writing c. 1800, stated that the poor there had no recourse other than a tiny allowance from church collections and the private charity of their neighbours.²

Finally we must consider society as a whole in our island groups in the seventeenth century. Society in the Western Isles was rooted chiefly in the ancient Celtic kin-based tradition, although this had been modified in some respects by the adoption of feudal practices, such as the rule of primogeniture for land inheritance (in early Celtic society the leader of a kin-group was chosen from descendants of a common ancestor³). As we have seen, there were three distinct classes in Hebridean society: the landowners, who were also the leaders of a group of followers generally the tenants on their lands; the tacksmen, who were largely responsible for local administration and the organisation of the clan in war and peace; and the small tenants and subtenants, who, with the aid of their children and sometimes of servants, laboured the land. Each of these classes had an essential function in the community and a strong interest in the welfare of the society as a whole. The structure of Hebridean society in the seventeenth century was generally very stable and was subject to few corrosive outside influences.

1. Gifford, Historical Description, 42.

2. Shirreff, General View - Orkney, 45.

3. Binchy, 'Irish Law Tracts', 222-3.

Gradual changes were, however, coming about. Firstly, in some of the islands of the south west more commercialised attitudes were now being taken to the leasing of land, and this was gradually eroding the economic position of the tacksman, the essential middle-man of clan society. Secondly, all over the Western Isles the chiefs had been brought into much closer contact with the government and with the Lowlands in general than in preceding centuries. As a result, their tastes became more sophisticated and extravagant, their legal bills and other expenses grew enormously, and their financial position deteriorated. By the end of the seventeenth century some of them were so deeply in debt that, had it not been for the strength of clan society in supporting their estates, they would have been ruined. At the same time there are indications that some chiefs were beginning to neglect traditional Celtic culture, and the ancient Gaelic learned professions.¹ All these things threatened the future stability of clan society.

Society in the Northern Isles was in the process of much more rapid change. In the sixteenth century the Norse laws were still in force in Orkney and Shetland, and the most prominent social group was the large class of udal landowners who held the many medium and small sized estates which were scattered throughout the islands with the lands of one proprietor often lying in runrig with those of others. Even at this time, however, there must have been a large class of tenants on the crown lands and on the larger of the udal estates. The large-scale decline of the udallers began in the later sixteenth century after the crown lands had been granted to the rapacious Stewart Earls of Orkney,

1. See above, pp. 265-70.

and the first feu-charters had been issued. These created estates which would descend intact to one heir (the normal practice in Scotland), and some of them were much larger than the biggest of the old udal estates. They were granted mainly to land-hungry and often unscrupulous incomers from the south of Scotland who had no interest in maintaining the Norse landholding customs, which did not work to the advantage of those who wished to amass a large landed estate.

Aided by the abolition of the Norse laws in Orkney and Shetland in 1611, some of these incomers greatly increased the extent of their estates at the expense of the hard pressed udallers, the vast majority of whom, by the end of the seventeenth century, had been depressed to the status of tenants. In Orkney the decline of the udaller and of udal customs began earlier than in Shetland, since before the seventeenth century Scottish influences had been much stronger in Orkney than they had in Shetland. The lot of the small tenant in the Northern Isles was not enviable, for if he could not pay his rent, he was often at the mercy of an unsympathetic landlord whose main concern was to draw as much rent as he could from his lands.

There were, then, very great differences between the society of the Western Isles and the society of the Northern Isles in the seventeenth century. These differences were largely attributable to the very different historical backgrounds of these communities. It is remarkable that, despite this, the ways in which the various islanders gained a living from the resources at their disposal exhibited many similarities. Their methods of farming, the tools which they used, the kinds of crops which they grew, and the types of animals which they reared, were very much alike in both the Western and the Northern Isles. In all our island areas farmers supplemented their living by activities such as

fishing, fowling and peat-cutting; and their more specialised needs were met by local craftsmen such as weavers, tailors, cordiners, wrights and smiths. There were differences of emphasis, for example, in the relative importance of grain and cattle to the economy of particular islands; but these were caused mainly by physical factors (especially differences in terrain) which often cut across similarities in their historical background.

Appendix I

Udal and Feudal Landholding in Orkney and Shetland

This analysis of Orkney and Shetland sasines is an expansion of the tables produced on pp. 64 and 65, and should be studied in conjunction with chapter two, pp. 62-69. The analysis given below shows the total number of sasines transferring lands in each of the mainland parishes of Orkney and Shetland and in all the more important islands. The sasines are divided into those granted by udallers and those granted by feuars, and each of these categories is subdivided into sasines of succession (where the grantee was a direct heir of the granter), sasines where the grantee was a known feuar, and sasines where the grantee was a 'small' man (a term explained on pp. 62-63). Sasines of confirmation to feuars, and miscellaneous sasines where either the granter or the grantee could not be classified with confidence, are separately listed. The total of sasines of succession, sasines to feuars, sasines to 'small' men, confirmations and miscellaneous sasines in each parish or island is equal to the total number of sasines for that parish or island, tables (a) and (b) being taken together.

The tables show that there was great variation in the pattern of udal and feudal landholding from one parish or island to another. It is noticeable, for instance, that in many of the islands of Orkney there were no udal transfers of land even in the early seventeenth century, and that in Shetland udal customs in the transference

of land held out longest in Northmavine and the North Isles (Unst, Yell and Fetlar) - see table IXa. It is hoped that this analysis of Orkney and Shetland sasines will lead to further local studies of the decline of udal landownership and the rise of feuing.

TABLE Va (ORKNEY) UDALLERS AND THEIR LAND 1617-1629

Parish/Island	Total Sasines		Sasines by Udallers	Succession	To Feuars	To 'small' men
Birsay	29		8	1	1	6
Deerness	47		12	0	6	6
Evie	29		3	0	1	2
Firth	43		8	2	1	5
Harray	95		46	7	4	35
Holm	69		31	4	14	12
Orphir	26		8	3	3	2
Rendall	22		7	1	3	3
St. Andrews	72		21	2	14	5
St. Ola	33		1	0	0	1
Sandwick	144		64	7	9	46
Stenness	50		14	1	8	4
Stromness	89		20	3	9	7
Burray and Flotta	2		0	0	0	0
Cava	2		0	0	0	0
Damsay	7		0	0	0	0
Eday	6		0	0	0	0
Egilsay	2		0	0	0	0
Eynhallow	5		0	0	0	0
Gairsay	4		0	0	0	0
Graemsay	0		0	0	0	0
Hoy	4		0	0	0	0
North Fara	1		0	0	0	0
N. Ronaldsay	0		0	0	0	0
Papa Stronsay	1		0	0	0	0
Papa Westray	6		0	0	0	0
Rousay	37		14	1	5	8
Sanday	49		16	1	10	4
Shapinsay	25		0	0	0	0
South Fara	0		0	0	0	0
S. Ronaldsay	93		37	8	7	21
Stronsay	36		2	0	1	0
Walls	10		0	0	0	0
Westray	7		1	0	1	0

TABLE Vb (ORKNEY) FEUARS AND THEIR LAND 1617-1629

Parish/Island	Sasines by Feuars	Succession	To Feuars	To 'small' men	Conf.	Misc.
Birsay	7	0	5	2	0	14
Deerness	15	0	12	1	0	22
Evie	18	3	15	0	4	4
Firth	19	1	15	2	0	17
Harray	9	1	6	2	0	40
Holm	15	1	12	2	8	16
Orphir	5	0	5	0	4	9
Rendall	5	0	4	0	3	8
St. Andrews	41	3	31	5	0	12
St. Ola	28	2	26	0	4	0
Sandwick	26	1	21	3	9	48
Stenness	16	3	9	4	2	19
Stromness	36	11	20	1	12	26
Burray and Flotta	1	1	0	0	1	0
Cava	2	0	2	0	0	0
Damsay	7	0	7	0	0	0
Eday	3	0	3	0	3	0
Egilsay	2	0	2	0	0	0
Eynhallow	4	4	0	0	1	0
Gairsay	4	0	4	0	0	0
Graemsay	0	0	0	0	0	0
Hoy	3	1	2	0	1	0
North Fara	1	1	0	0	0	0
N. Ronaldsay	0	0	0	0	0	0
Papa Stronsay	1	1	0	0	0	0
Papa Westray	4	1	3	0	0	2
Rousay	9	4	2	3	3	11
Sanday	23	7	13	1	2	11
Shapinsay	14	1	13	0	9	2
South Fara	0	0	0	0	0	0
S. Ronaldsay	15	3	12	0	1	41
Stronsay	30	5	25	0	2	3
Walls	6	0	6	0	0	4
Westray	4	2	2	0	0	2

TABLE VIa (ORKNEY) UDALLERS AND THEIR LAND 1660-1669

Parish/Island	Total Sasines		Sasines by Udallers	Succession	To Feuars	To 'small' men
Birsay	55		10	0	7	3
Deerness	23		5	0	0	3
Evie	7		1	0	1	0
Firth	66		9	4	2	3
Harray	51		7	3	2	2
Holm	21		5	2	2	1
Orphir	36		9	2	3	2
Rendall	17		3	1	1	1
St. Andrews	36		3	3	0	0
St. Ola	29		0	0	0	0
Sandwick	84		34	11	17	6
Stenness	14		6	2	0	4
Stromness	90		13	2	2	5
Burray and Flotta	4		0	0	0	0
Cava	3		0	0	0	0
Damsay	3		0	0	0	0
Eday	5		0	0	0	0
Egilsay	3		0	0	0	0
Eynhallow	1		0	0	0	0
Gairsay	0		0	0	0	0
Graemsay	2		1	0	1	0
Hoy	11		0	0	0	0
North Fara	1		0	0	0	0
N. Ronaldsay	0		0	0	0	0
Papa Stronsay	0		0	0	0	0
Papa Westray	7		0	0	0	0
Rousay	19		1	0	0	0
Sanday	48		1	0	1	0
Shapinsay	6		0	0	0	0
South Fara	1		0	0	0	0
S. Ronaldsay	92		17	8	2	4
Stronsay	22		0	0	0	0
Walls	13		4	0	4	0
Westray	20		0	0	0	0

TABLE VIb (ORKNEY) FEUARS AND THEIR LAND 1660-1669

Parish/Island	Sasines by feuars	Succession	To Feuars	To 'small' men	confs.	Misc.
Birsay	21	11	9	1	11	13
Deerness	3	0	3	0	4	13
Evie	3	1	2	0	3	0
Firth	25	9	15	1	17	15
Harray	18	7	10	1	8	18
Holm	7	2	5	0	3	6
Orphir	22	7	13	2	4	3
Rendall	8	1	5	1	4	3
St. Andrews	27	7	17	3	2	4
St. Ola	22	6	12	4	7	0
Sandwick	15	9	5	1	6	29
Stenness	1	0	0	1	5	2
Stromness	49	14	18	16	4	29
Burray and Flotta	3	1	2	0	1	0
Cava	2	1	1	0	1	0
Damsay	3	0	3	0	0	0
Eday	5	1	4	0	0	0
Egilsay	3	1	2	0	0	0
Eynhallow	0	0	0	0	1	0
Gairsay	0	0	0	0	0	0
Graemsay	1	1	0	0	0	0
Hoy	5	4	1	0	6	0
North Fara	1	1	0	0	0	0
N. Ronaldsay	0	0	0	0	0	0
Papa Stronsay	0	0	0	0	0	0
Papa Westray	3	2	1	0	3	1
Rousay	8	2	6	0	8	3
Sanday	34	9	19	4	12	3
Shapinsay	2	2	0	0	4	0
South Fara	0	0	0	0	1	0
S. Ronaldsay	22	6	9	7	7	49
Stronsay	15	5	5	4	5	3
Walls	5	2	3	0	2	2
Westray	10	4	6	0	10	0

TABLE VIIa (ORKNEY) UDALLERS AND THEIR LAND 1690-1699.

Parish/Island	Total Sasines		Sasines by udallers	Succession	To feuars	To 'small' men
Birsay	11		2	1	1	0
Deerness	5		0	0	0	0
Evie	1		0	0	0	0
Firth	13		0	0	0	0
Harray	28		4	1	1	2
Holm	23		1	0	1	0
Orphir	33		0	0	0	0
Rendall	9		0	0	0	0
St. Andrews	13		1	0	0	1
St. Ola	12		0	0	0	0
Sandwick	24		3	0	2	0
Stenness	21		1	0	1	0
Stromness	35		2	1	1	0
Burray and Flotta	1		0	0	0	0
Cava	2		0	0	0	0
Damsay	0		0	0	0	0
Eday	0		0	0	0	0
Egilsay	2		0	0	0	0
Eynhallow	3		0	0	0	0
Gairsay	0		0	0	0	0
Graemsay	15		0	0	0	0
Hoy	2		0	0	0	0
North Fara	3		0	0	0	0
N. Ronaldsay	0		0	0	0	0
Papa Stronsay	0		0	0	0	0
Papa Westray	3		0	0	0	0
Rousay	6		0	0	0	0
Sanday	23		0	0	0	0
Shapinsay	1		0	0	0	0
South Fara	1		0	0	0	0
S. Ronaldsay	105		13	2	0	9
Stronsay	11		0	0	0	0
Walls	6		0	0	0	0
Westray	5		0	0	0	0

TABLE VIIb (ORKNEY) FEUARS AND THEIR LAND 1690-1699

Parish/Island	Sasines by feuars	Succession	To feuars	To 'small' men	Confs.	Misc.
Birsay	5	1	4	0	1	3
Deerness	5	0	5	0	0	0
Evie	1	1	0	0	0	0
Firth	12	2	9	1	0	1
Harray	7	3	4	0	1	16
Holm	13	2	10	1	0	9
Orphir	29	3	26	0	1	3
Rendall	7	0	5	2	0	2
St. Andrews	11	4	7	0	1	0
St. Ola	11	3	8	0	1	0
Sandwick	7	3	3	0	0	16
Stenness	14	4	9	1	0	6
Stromness	17	8	5	3	1	16
Burray and Flotta	1	1	0	0	0	0
Cava	2	0	2	0	0	0
Damsay	0	0	0	0	0	0
Eday	0	0	0	0	0	0
Egilsay	2	0	2	0	0	0
Eynhallow	3	2	1	0	0	0
Gairsay	0	0	0	0	0	0
Graemsay	15	2	13	0	0	0
Hoy	2	0	2	0	0	0
North Fara	3	1	2	0	0	0
N. Ronaldsay	0	0	0	0	0	0
Papa Stronsay	0	0	0	0	0	0
Papa Westray	3	1	2	0	0	0
Rousay	6	1	5	0	0	0
Sanday	20	4	15	0	0	4
Shapinsay	1	0	1	0	0	0
South Fara	1	0	1	0	0	0
S. Ronaldsay	25	8	12	3	0	71
Stronsay	4	3	1	0	6	1
Walls	4	2	2	0	1	1
Westray	5	1	2	2	0	0

TABLE VIIIa (SHETLAND) UDALLERS AND THEIR LAND 1623-1629

Parish/Island	Total Sasines		Sasines by udallers	Succession	To Feuars	To 'small' men
Aithsting & Sandsting	24		13	0	5	7
Delting	20		12	2	6	2
Dunrossness	66		21	5	11	4
Lunnasting	6		3	2	0	1
Nesting	5		2	1	1	0
Northmavine	14		4	2	1	1
Quarff	3		0	0	0	0
Tingwall	32		19	4	3	12
Walls & Sandness	17		1	0	1	0
Whiteness & Weisdale	17		2	0	1	1
Bressay & Noss	6		3	1	0	2
Burra, the Havras, Oxna & Trondra	7		0	0	0	0
Fair Isle	7		0	0	0	0
Fetlar	14		7	1	3	3
Foula	0		0	0	0	0
Mikle Roe	0		0	0	0	0
Papa Stour	0		0	0	0	0
Unst	54		26	2	12	10
Whalsay	4		2	1	1	0
Yell	34		13	0	4	6

TABLE VIIIb (SHETLAND) FEUARS AND THEIR LAND 1623-1629

Parish/Island	Sasines by feuars	Succession	To feuars	To 'small' men	Confs.	Misc.
Aithsting & Sandsting	8	0	6	1	0	5
Delting	3	0	3	0	0	7
Dunrossness	18	0	15	2	0	29
Lunnasting	0	0	0	0	0	3
Nesting	1	0	1	0	0	2
Northmavine	5	0	4	1	0	5
Quarff	3	0	1	0	0	2
Tingwall	8	0	4	3	0	6
Walls & Sandness	6	0	3	1	0	12
Whiteness & Weisdale	6	0	2	0	0	13
Bressay & Ness	0	0	0	0	0	3
Burra, the Bavras, Oxna & Trondra	3	1	1	0	0	5
Fair Isle	5	2	2	0	1	2
Fetlar	6	0	5	0	0	2
Foula	0	0	0	0	0	0
Muckle Roe	0	0	0	0	0	0
Papa Stour	0	0	0	0	0	0
Unst	9	0	4	3	0	23
Whalsay	0	0	0	0	0	2
Yell	8	0	3	4	0	17

TABLE IXa (SHETLAND) UDALLERS AND THEIR LAND 1660-1669

Parish/Island	Total Sasines		Sasines by udallers	Succession	To Feuars	To 'small' men
Aithsting & Sandsting	32		3	0	1	2
Delting	62		8	0	3	5
Dunrossness	33		1	1	0	0
Lunnasting	29		2	0	1	0
Nesting	9		1	0	1	0
Northmavine	50		11	3	3	5
Quarff	4		0	0	0	0
Tingwall	41		5	0	1	2
Walls & Sandness	22		5	1	1	2
Whiteness & Weisdale	29		2	0	2	0
Bressay & Noss	19		4	0	1	3
Burra, the Havras, Oona & Trondra	9		0	0	0	0
Fair Isle	2		0	0	0	0
Fetlar	54		22	3	9	4
Foula	2		0	0	0	0
Muckle Roe	1		0	0	0	0
Papa Stour	3		0	0	0	0
Unst	88		20	6	11	1
Whalsay	14		1	0	1	0
Yell	131		38	13	8	12

TABLE IXb (SHETLAND) FEUARS AND THEIR LAND 1660-1669.

Parish/Island	Sasines by feuars	Succession	To feuars	To 'small' men	Confs.	Misc.
Aithsting &						
Sandsting	10	4	4	0	16	5
Delting	27	3	9	12	26	4
Dunrossness	11	9	1	0	18	4
Lunnasting	12	2	6	1	14	5
Nesting	2	1	1	0	5	1
Northmavine	21	3	12	3	15	6
Quarff	2	2	0	0	2	0
Tingwall	19	7	9	3	17	2
Walls & Sandness	4	0	1	0	13	4
Whiteness & Weisdale	13	4	8	1	14	0
Bressay & Noss	5	3	1	0	9	2
Burra, the Havras, Oma & Trondra	4	4	0	0	5	0
Fair Isle	2	2	0	0	0	0
Fetlar	13	4	7	1	19	7
Foula	0	0	0	0	2	0
Muckle Roe	0	0	0	0	1	0
Papa Stour	3	0	3	0	0	0
Unst	17	5	7	1	39	18
Whalsay	2	0	1	1	9	2
Yell	39	13	17	7	43	18

TABLE Xa (SHETLAND) UDALLERS AND THEIR LAND 1690-1699

Parish/Island	Total Sasines		Sasines by udallers	Succession	To Feuars	To 'Small' men
Aithsting & Sandsting	28		0	0	0	0
Delting	19		1	0	1	0
Dunrossness	28		0	0	0	0
Lunnasting	9		1	0	0	0
Nesting	8		0	0	0	0
Northmavine	18		1	0	0	0
Quarff	5		0	0	0	0
Tingwall	33		1	0	0	0
Walls & Sandness	36		1	0	1	0
Whiteness & Weisdale	10		1	0	1	0
Bressay & Noss	14		0	0	0	0
Burra, the Havras, Oxna & Trondra	6		0	0	0	0
Fair Isle	0		0	0	0	0
Fetlar	12		1	0	1	0
Foula	2		0	0	0	0
Muckle Roe	0		0	0	0	0
Papa Stour	4		0	0	0	0
Unst	24		3	0	3	0
Whalsay	8		0	0	0	0
Yell	40		1	0	0	1

TABLE Kb (SHETLAND) FEUARS AND THEIR LAND 1690-1699

Parish/Island	Sasines by feuars	Succession	To feuars	To 'small' men	Confs.	Misc.
Aithsting & Sandsting	19	5	11	0	1	11
Delting	13	6	4	2	1	5
Dunrossness	23	3	7	2	1	15
Innnasting	6	2	3	1	1	2
Nesting	7	0	3	1	1	3
Northmavine	14	4	7	0	0	7
Quarff	4	0	2	0	1	2
Tingwall	21	3	11	1	0	18
Walls & Sandness	26	2	18	0	1	14
Whiteness & Weisdale	6	2	4	0	1	2
Bressay & Noss	11	2	5	1	1	5
Burra, the Havras, Oxna & Trondra	4	0	4	0	0	2
Fair Isle	0	0	0	0	0	0
Fetlar	8	3	2	3	1	2
Foula	2	1	1	0	0	0
Muckle Roe	0	0	0	0	0	0
Papa Stour	4	4	0	0	0	0
Unst	18	9	6	0	1	5
Whalsay	6	2	2	0	1	3
Yell	31	14	12	1	1	11

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